

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CM No.9633-CI of 2016 in/and
RFA No.3514 of 2016
Date of Decision : 12.12.2016.**

Smt. Kanta Devi and others

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Arun Singal, Advocate for the appellant.

ARUN PALLI, J. (Oral)
CM No.9633-CI of 2016

This is an application for condonation of delay of 1255 days in filing the accompanying appeal.

All what has been urged by the learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 3.11.2015, rendered by this court in RFA No.6207 of 2012 (Piryavert and another Vs. Haryana Government and others), and other connected matters vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the landowners.

Notice in the application.

Mr. Shivendra Swaroop, AAG, Haryana, present in Court, accept notice on behalf of respondents No.1 and 2 and Mr. Pritam Saini, Advocate, for respondent No.3.

The factual position, as set out above, is not disputed by learned counsel for the respondents.

I have heard learned counsel for the parties and perused the records.

In the wake of the decisions of the Hon'ble Supreme Court in Imrat Lal and others v. Land Acquisition Collector and others, 2015(2) RCR

(Civil) 437 and Dhiraj Singh (D) Tr. LRs. v. Haryana State and others, 2015 (2) RCR (Civil) 507, delay of 1255 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in filing the appeal the applicants shall not be entitled to any interest on the enhanced compensation.

CM stands disposed of.

RFA No.3514 of 2016

For, the learned counsel for the parties are *ad idem* that the matter in issue is squarely covered by the decision rendered by this court in Piryavert's case (*supra*), the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 1255 days.

12.12.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No