

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

RFA No.3573 of 2016(O&M)
Date of decision: 01.09.2016

Gurnam Singh and others

... Appellants

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Shoaib Khan, Advocate for the appellants.
Mr. Shivendra Swaroop, AAG, Haryana.

ARUN PALLI J. (Oral)

CM-9826-CI-2016

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the appeal is taken on board.

CM-9827-CI-2016

This is an application for condonation of delay of 2017 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 08.04.2016, rendered by this court in RFA No.1956 of 2010 - State of Haryana through Land Acquisition Collector, Urban Estate, Panchkula and another v. Hans Raj and others, 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.

On the asking of the court, Mr. Shivendra Swaroop, AAG, Haryana, present in court, accepts notice on behalf of the contesting respondents.

The factual position, as set out above, is not disputed by learned State counsel.

Heard.

In the wake of the decision 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 2017 days in filing the accompanying appeal is condoned. However, for the period of delay the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM-9828-CI-2016

Allowed, as prayed for.

CM-9829-CI-2016

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed subject to all just exceptions. Consequently, the applicants are impleaded as the legal representatives of deceased Lakhbir Singh s/o Gurbachan Singh, who is stated to have passed away on 01.08.2011, for the purpose of pursuing the present appeal only.

RFA-3573-2016

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 Hans Raj's case (supra), the present appeal is disposed of in the same terms. However, the appellants shall not be entitled to interest for the period of delay in filing the appeal i.e. 2017 days.

September 1, 2016
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:

YES/NO

Whether Reportable:

YES/NO