

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

RFA No.3578 of 2016 (O&M)

Date of Decision: 02.09.2016

Gurnam Singh and others

..Appellants

versus

State of Haryana through Land Acquisition Collector, Panchkula and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Arnav K.Sood, Advocate,
for Mr. M.K.Chouhan, Advocate, for the appellants

Mr. Shivendra Swaroop, Assistant Advocate General, Haryana.

-.-

ARUN PALLI, J. (ORAL)

CM No.9862-C1 of 2016

Allowed as prayed for.

CM No.9860-CI of 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 No.9861-CI of 2016

This is an application for condonation of delay of 2017 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 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 versus Hans Raj and others), vide which in the

appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the land-owners.

Notice in the application

On the asking of the court, Mr. Shivendra Swaroop, Assistant Advocate General, Haryana, accepts notice on behalf of respondent nos.1 to 3.

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

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

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 No.9863-CI of 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 legal heirs of late Lakhbir Singh son of Gurbachan Singh (appellant no.4), who is stated to have passed away on 01.8.2011, as depicted in paragraph 1 of the application, are brought on record, for the purpose of pursuing the present appeal only.

RFA No.3578 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 **Hans Raj's case** (supra), the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest for the period of delay in filing the appeal, i.e. 2017 days.

02.09.2016
VK

(ARUN PALLI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No