

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

106/3

**RFA No.3593 of 2016 (O&M)
Date of Decision : 05.09.2016.**

Dharambir and others.

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Ms. Anita Balyan, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No. 9965-CI of 2016

Application is allowed as prayed for.

CM No.9964-CI of 2016

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

CM No. 9963-CI of 2016

This is an application for condonation of delay of 1061 days in filing the appeal. All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgement, dated 12.02.2016, rendered by this court in **RFA No.564 of 2014**, titled “Mahavir and others versus. State of Haryana and another”, 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 the Court, accepts notice on behalf of respondents No.1 and 2 and Mr.Pritam Saini, Advocate, accepts notice on behalf of respondent No.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 record.

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 1061 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.

RFA No.3593 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 Mahavir'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. 1061 days.

(ARUN PALLI)
JUDGE

05.09.2016

neenu/raman

Whether speaking / reasoned Yes/No

Whether reportable Yes/No