

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

107/3

RFA No.3596 of 2016 (O&M)
Date of Decision: 05.09.2016

Dharampal

..Appellant(s)

versus

State of Haryana through Collector, Rohtak and others

..Respondent(s)

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sudhir Hooda, Advocate,
for the appellant(s).

ARUN PALLI, J. (ORAL)

CM No.9973-C1 of 2016

Allowed as prayed for.

CM No.9972-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.9974-CI of 2016

This is an application for condonation of delay of 1889 days in filing the accompanying appeal. All what has been urged by the learned counsel for the applicant is that the matter in issue is squarely covered by the judgment dated 01.09.2014, rendered by this court, in RFA No.2250 of 2011 (**Risal Singh 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 land-owners.

Notice in the application.

On the asking of the court, Mr. Shivendra Swaroop, Assistant Advocate General, Haryana, accepts notice on behalf of the respondents.

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 1889 days in filing the accompanying appeal is condoned. However, for the period of delay, the applicant shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

RFA No.3596 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 **Risal Singh's case** (supra), the present appeal is disposed of in terms of the said decision. However, the appellant shall not be entitled to interest for the period of delay in filing the appeal, i.e. 1889 days.

05.09.2016

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(ARUN PALLI)
JUDGE

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