IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

216 **RFA No.3639 of 2016(O & M)**
Date of Decision:02.12.2016

Dhano (deceased) th.LRs. and others ....appellants

Versus

State of Haryana and others .....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Sanjay Mittal, Advocate
for the appellants

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ARUN PALLI, J. (ORAL):

CM No.10116-CI of 2016

Application is allowed as prayed for.

CM No.10118-CI of 2016

This is an application for condonation of delay of 2364 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 27.01.2016, rendered by this Court in **RFA No.1 of 2010,** titled "State of Haryana and others versus Maan Singh", vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the landowner.

Notice.

On the asking of the Court, Ms.Safia Gupta, AAG Haryana, present in the Court, accepts notice on behalf respondents No.1 to 4. For, respondents No.5 to 29 are alleged to be merely proforma parties, their service is accordingly dispensed with.

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

I have heard learned counsel for the parties and perused the

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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 2364 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM No.10117-CI of 2016

For the reasons set out in the application, that is duly supported by an affidavit, same is allowed, subject to all just exceptions. Consequently, legal representatives of deceased Dhano-appellant No.1, as depicted in para No.2 of the application, are brought on record, for the purpose of pursuing the appeal only. However, it is clarified that this order shall have no bearing upon any dispute, pending qua the registered Will dated 30.12.2013, referred to in para No.3 of the application.

CM stands disposed of.

RFA No.3639 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 Maan Singh'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.2364 days.

02.12.2016 **(ARUN PALLI)**
JUDGE

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