

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

**CM No. 10251-CI of 2016 in/and
RFA No. 3696 of 2016 (O & M)
Date of decision : 30.11.2016**

Hrdeep Singh

.....Appellant

v.

Union Territory, Chandigarh

.....Respondent

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

Present : Mr. Naresh Kaushal, Advocate, for the appellant

Arun Palli, J. (Oral) :

CM No. 10250-CI of 2016 :

Allowed as prayed for.

CM No. 10251-CI of 2016 :

This is an application for condonation of delay of 1368 days in filing the accompanying appeal. All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgment dated 2.2.2016 rendered by this Court in RFA No. 3431 of 2011 (Rahul Inder Singh and another v. U.T. Chandigarh through its Administrator, Sector 9, UT, Chandigarh and others), vide which the compensation awarded to the land owners was enhanced by this Court.

Notice in the application.

On the asking of the Court, Mr. Suvir Sehgal, Senior Standing counsel with Mr. Daman Dhir, Advocate, for UT, Chandigarh, present in Court,

accepts notice on behalf of the respondent.

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

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 1368 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in filing the appeal, the applicant shall not be entitled to any interest on the enhanced compensation.

The CM stands disposed of.

RFA No. 3696 of 2016 :

For, learned counsel for the parties are ad idem that the matter in issue is squarely covered by the judgment rendered by this Court in the case of **Rahul Inder Singh and another v. U.T. Chandigarh through its Administrator, Chandigarh** (supra), therefore, this appeal too is disposed of in the same terms. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 1368 days.

(ARUN PALLI)
JUDGE

30.11.2016
Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No