

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

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RFA No.3722 of 2016(O & M)

Date of Decision:02.12.2016

Sant Kumar

....appellant

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Deepak Basatia, Advocate
for the appellant

ARUN PALLI, J. (ORAL):

CM No.10311-CI of 2016

Application is allowed as prayed for.

CM No.10310-CI of 2016

This is an application for condonation of delay of 1023 days in filing the appeal. All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgement dated 05.05.2016, rendered by this Court in **RFA No.3356 of 2010**, titled “State of Haryana and another versus Santokh Singh and others”, and other connected matters, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation uniformly to ₹ 2887/- per square meter.

Notice in the application.

On the asking of the Court, Mr.Abhinash Jain, AAG Haryana, present in the Court, accepts notice on behalf 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

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 1023 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay the applicant shall not be entitled to any interest on the enhanced compensation.

CM stands disposed of.

RFA No.3722 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 Santokh 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 on the enhanced compensation for the period of delay in filing the appeal i.e.1023 days.

02.12.2016

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No