

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

109/3

**RFA No.3776 of 2016 (O&M)
Date of Decision : 14.09.2016.**

Abhey Singh and others.

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. A.S. Yadav, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No. 10439-CI of 2016

Application is allowed as prayed for.

CM No.10437-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. 10438-CI of 2016

This is an application for condonation of delay of 1560 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 12.05.2016, rendered by this Court in **RFA No.4223 of 2012**, titled “Executive Engineer/ Construction, Northern Railway, Rohtak versus Abhey Singh and others”, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the landowners to Rs.30,47,619/-.

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.Vivek Lamba, Advocate for Ms.Chetna Rao, Advocate,

accepts notice on behalf of respondent No.3.

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

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 1560 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.

CM No.10440-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 Jehro- appellant No. 6, who is stated to have died on 05.02.2015, are brought on record for the purpose of pursuing the appeal only.

CM stands disposed of.

RFA No.3776 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 Abhey 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 for the period of delay in filing the appeal i.e. 1560 days.

(ARUN PALLI)
JUDGE

14.09.2016

neenu/raman

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No