

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

RFA No.3795 of 2016(O&M)
Date of decision: 15.09.2016

Sunita and others

... Appellants

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Aditya Singh Yadav, Advocate for the appellants.
Mr. Shivendra Swaroop, AAG, Haryana,
for respondents No.1 & 2.
Mr. Vivek Lamba, Advocate for
Ms. Chetna Rao, Advocate for respondent No.3-Northern
Railway.

ARUN PALLI J. (Oral)

CM-10502-CI-2016

For the reasons set out in the application, the same is allowed
and the main case is taken on board.

CM-10503-CI-2016

This is an application for condonation of delay of 1561 days in
filing the accompanying appeal.

All what has been urged by learned counsel for the applicants is
that the matter in issue is squarely covered by the judgment, dated
12.05.2016, rendered by this court in RFA No.4223 of 2012 - Executive
Engineer/Construction, Northern Railway, Rohtak v. Abhey Singh and
others, vide which in the appeals arising out of the same acquisition, this
court had enhanced the compensation to ₹ 30,47,619/- per acre.

Notice in the application.

Mr. Shivendra Swaroop, AAG, Haryana and Mr. Vivek Lamba, Advocate for Ms. Chetna Rao, Advocate, accept notice on behalf of respondents No.1 & 2 and 3, respectively.

Heard.

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

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 1561 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-10504-CI-2016

Allowed, as prayed for.

RFA-3795-2016

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 the same terms. However, the appellants shall not be entitled to interest for the period of delay in filing the appeal i.e. 1561 days.

September 15, 2016
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:

YES/NO

Whether Reportable:

YES/NO