

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM No.10508-CI of 2016 in/and
RFA No.3799 of 2016 (O&M)
Date of Decision : 02.12.2016.

Sarabjit Kaur

.....Appellant

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Vijay Sharma, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM No.10508-CI of 2016

This is an application for condonation of delay of 705 days in filing the accompanying appeal. All what has been urged by the learned counsel for the applicant is that the matter in issue is squarely covered by the judgment, dated 15.02.2016, rendered by this court in RFA No.3220 of 2014 (Parveen Lata Vs. State of Punjab and another), vide which, this court had enhanced the compensation awarded to the landowners to ₹1564/- per square yard.

Notice in the application.

Mr. K.K.Gupta, Addl. A.G. Punjab, present in Court, accepts notice on behalf of the respondents.

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

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. LR.s. v. Haryana State and others, 2015 (2) RCR (Civil) 507, delay of 705 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.

CM stands disposed of.

CM No.10509-CI of 2016

Allowed as prayed for.

RFA No.3799 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 Parveen Lata'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. 705 days.

02.12.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No