

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

**CM No.10646-CI of 2016 in/and
RFA No.3844 of 2016
Date of Decision : 13.12.2016.**

Smt. Bimla and others

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Ram Darshan Yadav, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No.10646-CI of 2016

This is an application for condonation of delay of 1607 days in filing the accompanying appeal.

Ms. Safia Gupta, AAG, Haryana, caused appearance on behalf of respondents No.1 and 2 and Mr. G.S.Gopera, Advocate for Mr. Yogesh Chaudhary, Advocate for respondents No.3 and 4.

Reply to the application has been filed on behalf of respondents No.1 and 2, which is taken on record.

All what has been urged by the learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 11.05.2016, rendered by this court in RFA No.2057 of 2012 (Jai Lal Vs. State of Haryana and others), and other connected matters, vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the landowners.

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 records.

In the wake of the decisions 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 1607 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in filing the appeal the applicants shall not be entitled to any interest on the enhanced compensation.

CM stands disposed of.

RFA No.3844 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 *Jai Lal's case* (supra), the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 1607 days.

13.12.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No