

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

RFA No.3845 of 2016(O&M)
Date of decision: 20.09.2016

Ram Kishan (deceased) through LR

... Appellant

Versus

Union Territory, Chandigarh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. PC Dhiman, Advocate for the appellant.
Mr. Daman Dhir, Advocate for UT Chandigarh.

ARUN PALLI J. (Oral)

CM-10649-CI-2016

This is an application for condonation of delay of 2685 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgment, dated 22.09.2016, rendered by this court in RFA No.2870 of 2009 [**Gurdev Singh and others v. Union Territory, Chandigarh**] 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.

Notice.

Mr. Daman Dhir, Advocate, accepts notice on behalf of the respondent-UT Administration.

The factual position, as set out above, is not disputed by learned counsel for respondent-UT Administration.

Heard.

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 2685 days in filing the accompanying appeal is condoned. However, for the period of delay the applicant shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM-10650-CI-2016

Allowed as prayed for.

RFA-3845-2016

For, learned counsel for the parties are *ad idem* that the matter in issue is squarely covered by the decision rendered by this court in Gurdev Singh's case (supra), the present appeal is disposed of in the same terms. However, the appellant shall not be entitled to interest for the period of delay in filing the appeal i.e. 2685 days.

September 20, 2016
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:

YES/NO

Whether Reportable:

YES/NO