

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

RFA No.3948 of 2016(O&M)  
Date of decision: 22.09.2016

Duni Chand (deceased) through LRs

... Appellant

Versus

Haryana State and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI**

Present: Mr. Vijay Pratap Singh, Advocate for  
Mr. Nonish Kumar, Advocate for the appellant.  
Mr. Shivendra Swaroop, AAG, Haryana.  
Mr. Pritam S. Saini, Addl. AG, Haryana,  
for HVPNL.

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**ARUN PALLI J. (Oral)**

**CM-10876-CI-2016**

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the appeal is taken on board.

**CM-10874-CI-2016**

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed subject to all just exceptions. Consequently, the legal representatives of appellant - Duni Chand, who is stated to have passed away on 20.05.2012, are brought on record for the purpose of pursuing the present appeal only.

**CM-10875-CI-2016**

Allowed, as prayed for.

**CM-10877-CI-2016**

This is an application for condonation of delay of 1916 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 12.08.2015, rendered by the Hon'ble Supreme Court in Civil Appeal No.6256 of 2015 [**Samunder and others v. Haryana State and others**] and other connected matters, vide which in the appeals arising out of the same acquisition, the Hon'ble Supreme Court had enhanced the compensation by a sum of ₹ 1,00,000/- per acre over and above the compensation awarded by the reference court.

Notice.

Mr. Shivendra Swaroop, AAG, Haryana, on behalf of respondents No.1 & 2; and Mr. Pritam S. Saini, Addl. AG, Haryana, on behalf of respondent No.3, accept notice.

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 1916 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.

RFA-3948-2016

For, the learned counsel for the parties are *ad idem* that the matter in issue is squarely covered by the decision rendered by the Hon'ble Supreme Court in Samunder'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. 1916 days.

September 22, 2016  
Rajan

**( Arun Palli )**  
**Judge**

Whether speaking / reasoned: YES/NO

Whether Reportable: YES/NO