

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

RFA No.3961 of 2016(O&M)

Date of decision: 26.09.2016

Mohan Lal @ Med Singh (deceased) through LRs and another

... Appellants

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Suresh Kumar Kaushik, Advocate for the appellants.
Mr. Shivendra Swaroop, AAG, Haryana.

ARUN PALLI J. (Oral)

CM-10930-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-10928-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 LRs of late Mohan Lal @ Med Singh, as depicted in para 2 of the application, are brought on record for the purpose of pursuing the present appeal only.

CM-10929-CI-2016

This is an application for condonation of delay of 978 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 10.12.2015, rendered by this court in RFA No.1235 of 2011 [**Chhatter Singh v. State of Haryana and others**], vide which in the appeals arising

out of the same acquisition, this court had enhanced the compensation awarded to the landowners.

Notice of motion qua respondent No.1 to 3 only, for rest of the respondents are stated to be the merely proforma respondents and, thus, need not be served.

Mr. Shivendra Swaroop, AAG, Haryana, present in court, accepts notice on behalf of respondents No.1 to 3.

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

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 978 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.

RFA-3961-2016

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 Chhatter 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. 978 days.

September 26, 2016
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned: YES/NO

Whether Reportable: YES/NO