

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

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**RFA No.4000 of 2016 (O&M)
Date of Decision : 28.09.2016.**

Krishan Kumar and others.

.....Appellants

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr.Ashok Kumar Sehrawat, Advocate
for the appellants.

ARUN PALLI, J. (Oral)

CM No.11014-CI of 2016

This is an application for condonation of delay of 629 days in re-filing the appeal.

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Delay of 629 days in re-filing the appeal is condoned.

CM stands disposed of.

CM No.11015-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, leave is granted to the LRs of Barfi Devi who is stated to have passed away on 25.06.2006, as depicted in para No.3 of the application, to institute and maintain the present appeal.

CM No. 11013-CI of 2016

This is an application for condonation of delay of 1187 days in filing the appeal. All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgement, dated 01.09.2014, rendered by this court in **RFA No.2250 of 2011**, titled “Risal Singh versus State of Haryana and another”, vide which, in the

appeals arising out of the same acquisition, this Court had enhanced the compensation to Rs.18,31,500/- per acre for the land that abutted the main road upto the depth of two acres and @ Rs.15,00,000/- per acre for the remaining land.

Notice in the application.

On the asking of the Court, Mr. Shivendra Swaroop, AAG Haryana, present in the Court, accepts notice on behalf of respondents.

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

I have heard learned counsel for the parties and perused the record.

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. LRs. V. Haryana State and others, 2015 (2) RCR (Civil) 507*, delay of 1187 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 No.4000 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 *Risal Singh's case (supra)*, the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest for the period of delay in filing the appeal i.e. 1187 days.

(ARUN PALLI)
JUDGE

28.09.2016

neenu/raman

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No