

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

RFA No.4252 of 2016(O&M)
Date of decision: 24.10.2016

Angreja (deceased) through LRs

... Appellant

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sushil K. Sharma, Advocate for
Mr. ML Sharma, Advocate for the appellant.
Mr. Shivendra Swaroop, AAG, Haryana.

ARUN PALLI J. (Oral)

CM-11937-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-11938-CI-2016

This is an application for condonation of delay of 2003 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 08.04.2016, rendered by this court in RFA No.1956 of 2010 - State of Haryana through Land Acquisition Collector, Urban Estate, Panchkula and another v. Hans Raj and others, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the landowners.

Notice in the application.

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

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 record.

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 2003 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-11939-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 applicants, namely, Gian Singh and Gurpal Singh, as depicted in para 4 of the application, are impleaded as LRs of deceased Angreja for the purpose of pursuing the present appeal only.

CM-11940-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 Gian Singh s/o Angreja, as depicted in para 3 of the application, are brought on record for the purpose of pursuing the present appeal only.

RFA-4252-2016

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 Hans Raj'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. 2003 days.

October 24, 2016
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:

YES/NO

Whether Reportable:

YES/NO