

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

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**RFA No.4260 of 2016 (O&M)
Date of Decision : 26.10.2016.**

Smt. Birwati and others.

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. M.S.Tewatia, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No.12021-CI of 2016.

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

CM No.12020-CI of 2016.

This is an application for condonation of delay of 1910 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 28.03.2016, rendered by this Court in **RFA No.2322 of 2011**, titled “Usha Rani and others versus State of Haryana and others”, vide which, in the appeals arising out of the same acquisition, this Court had uniformly enhanced the compensation awarded to the landowners to Rs.48,57,000/- per acre.

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 No.1 and 2 and Mr.Pritam Saini, Advocate, accepts notice on behalf of

respondent No.3 and 4.

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

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 1910 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.4260 of 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 the Usha Rani'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. 1910 days.

(ARUN PALLI)
JUDGE

26.10.2016

raman

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No