

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

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RFA No.4486 of 2016(O & M)

Date of Decision:21.11.2016

Saroj and others

....appellants

Versus

U.T.Chandigarh

.....respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Vishal Garg, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.12549-CI of 2016

Application is allowed as prayed for.

CM No.12548-CI of 2016

This is an application for condonation of delay of 1538 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 22.09.2016, rendered by this Court in **RFA No.2870 of 2009**, titled “Gurdev Singh and others versus Union Territory, Chandigarh”, 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.

On the asking of the Court, Mr.Suvir Sehgal, Senior standing counsel with Mr.Deepak Sharma, Advocate accepts notice on behalf the respondent.

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

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 1538 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.4486 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 Gurdev 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.1538 days.

21.11.2016

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable-

Yes/No