

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

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**RFA No.4582 of 2016 (O&M)
Date of Decision : 29.11.2016.**

Ishwar and others.

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. S.P. Khatri, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No.12734-CI of 2016.

Application is allowed as prayed for.

CM No.12731-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.12732-CI of 2016.

This is an application for condonation of delay of 786 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 18.02.2016, rendered by this Court in **RFA No.6809 of 2014**, titled “Raghubir and others versus State of Haryana and another”, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the landowners to Rs.59,88,657/- per acre.

Notice.

On the asking of the Court, Mr. Shivendra Swaroop, AAG Haryana, present in the Court, accepts notice on behalf of respondent Nos.1 and 2 and Mr.Pritam Singh Saini, Advocate, accepts notice on behalf of respondent No.3.

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 786 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.

CM No.12733-CI of 2016

For the reasons set out in the application, that is duly supported by an affidavit, same is allowed, subject to all just exceptions. Consequently, legal representatives of deceased Parvesh- appellant No.7, who is stated to have died on 13.05.2015, are granted leave to institute and maintain the accompanying appeal.

CM stands disposed of.

RFA No.4582 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 Raghbir'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.786 days.

(ARUN PALLI)
JUDGE

29.11.2016

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No