

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

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**RFA No.4612 of 2016 (O&M)
Date of Decision : 05.12.2016.**

Ram Diya.

.....Appellant

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

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

ARUN PALLI, J. (Oral)

CM No.12880-CI of 2016

Application is allowed as prayed for.

CM No. 12879-CI of 2016

This is an application for condonation of delay of 744 days in filing the appeal. All what has been urged by learned counsel for the applicant 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 “Raghbir 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. Abhinash Jain, 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 the 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 744 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM No. 12881-CI of 2016 in/and RFA No.4612 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 appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 744 days.

(ARUN PALLI)
JUDGE

05.12.2016

neenu/raman

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No