

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

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RFA No.4644 of 2016(O & M)

Date of Decision:07.12.2016

Jagmitra

....appellant

Versus

State of Haryana and another

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Kulvir Narwal, Advocate
for the appellant

ARUN PALLI, J. (ORAL):

CM No.12995-CI of 2016

Application is allowed as prayed for.

CM No.12996 -CI of 2016

This is an application for condonation of delay of 1687 days in filing the appeal.

All what has been urged by the learned counsel for the applicant is that the matter in issue is squarely covered by the judgement, dated 02.05.2016, rendered by this Court in RFA No.429 of 2013 (Raj Singh and others Vs. State of Haryana and another), vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation, uniformly, to ₹19,91,300/- per acre.

Notice.

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

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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 1687 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.

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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 *Raj Singh'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. 1687 days.

07.12.2016

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No.

Whether reportable-

Yes/No