

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

108/3

RFA No.4646 of 2016(O&M)

Date of Decision:07.12.2016

Dharambir through LR.

....appellants

Versus

State of Haryana and another

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Kulvir Narwal, Advocate
for the appellants.

ARUN PALLI, J. (ORAL):

CM No.13000-CI of 2016

Application is allowed as prayed for.

CM No.13001-CI of 2016

This is an application for condonation of delay of 1662 days in filing the appeal.

All what has been urged by the learned counsel for the applicants 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.

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 1662 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM No.13002-CI of 2016

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed, subject to all just exceptions. Consequently, legal representatives of late Dharambir and Samunder s/o Dharambir as depicted in Para Nos.1 and 2, are brought on record for the purpose of pursuing the present appeal only.

CM stands disposed of.

RFA No.4646 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 *Raj 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 on the enhanced compensation for the period of delay in filing the appeal i.e. 1662 days.

07.12.2016

neenu/sonia arora

(ARUN PALLI)
JUDGE

Whether speaking/reasoned -
Whether reportable-

Yes/No
Yes/No