

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

**108/4**

**RFA No.4647 of 2016(O&M)  
Date of Decision:07.12.2016**

Smt. Dano (deceased) through LRs and others

....appellants

Versus

State of Haryana and others

.....respondents

**CORAM: HON'BLE MR.JUSTICE ARUN PALLI**

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

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**ARUN PALLI, J. (ORAL):**

**CM No.13003-CI of 2016**

Application is allowed as prayed for.

**CM No.13004-CI of 2016**

This is an application for condonation of delay of 1661 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 Nos.1 & 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 1661 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.13005-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, the applicants, who purport to be the legal representatives of late Dano-appellant No.1 and Wazir-appellant No.5 as depicted in Para Nos.1 and 2 are brought on record for the purpose of pursuing the present appeal only. However, it is clarified that if any dispute is pending as regards the execution and validity of the registered Will dated 31.05.2006 as depicted in Para No.1 of the application, this order shall have no bearing upon any of those proceedings.

CM stands disposed of.

**RFA No.4647 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. 1661 days.

07.12.2016

*neenu/sonia arora*

**(ARUN PALLI)**  
**JUDGE**

Whether speaking/reasoned -  
Whether reportable-

Yes/No  
Yes/No