

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

108

RFA No.4747 of 2016(O & M)

Date of Decision:15.12.2016

Lachmi Chand(deceased) th.LRs

....appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Sachin Kadyan, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.13224-CI of 2016

Application is allowed as prayed for.

CM No.13225-CI of 2016

This is an application for condonation of delay of 2008 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 judgment, dated
08.04.2016, rendered by this court in RFA No.1956 of 2010 - State of
Haryana through Land Acquisition Collector, Urban Estate, Panchkula and
another v. Hans Raj and others, vide which in the appeals arising out of the
same acquisition, this court had enhanced the compensation awarded to the
landowners to ₹ 380/- per square yard.

Notice.

On the asking of the Court, Mr.Shivendra Swaroop, AAG
Haryana, present in the Court, accepts notice on behalf respondents No.1 to
3. For, respondents No.4 to 27 are alleged to be proforma parties, their
service is dispensed with.

The factual position as set out above, is not disputed by the learned State counsel.

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 2008 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.13226-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 Lachmi Chand-appellant, who is stated to have died on 24.12.2015, as depicted in para No.2 of the application, are brought on record, for the purpose of pursuing the appeal only.

CM stands disposed of.

RFA No.4747 of 2016

For, the learned counsel for the parties are ad idem that the matter in issue is squarely covered by the decision rendered by this court in Hans Raj'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.2008 days.

15.12.2016

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned Yes/No.

Whether reportable- Yes/No