

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

105

RFA No.4807 of 2016(O & M)

Date of Decision:20.12.2016

Daya Ram (deceased) th.LRs and others

....appellants

Versus

District Revenue Officer, Sonapat and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Ashwani Gaur, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.13418-CI of 2016

Application is allowed as prayed for.

CM No.13419-CI of 2016

This is an application for condonation of delay of 931 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 judgement dated 03.11.2015, rendered by this Court in **RFA No.6207 of 2012**, titled “Piryavert and another versus Haryana Government and others”, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the landowners to ₹ 32 lacs, as regards the notification dated 05.10.2005.

Notice.

On the asking of the Court, Mr.Shivendra Swaroop, AAG Haryana, present in the Court, accepts notice on behalf respondents No.1 and 2 and Mr.Pritam 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 931 days in filing the accompanying appeal is condoned. However, for the period of delay, the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM No.13420-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 Daya Ram-appellant, who is stated to have died on 25.03.2013, during the pendency of the Reference, are granted leave to institute and maintain the accompanying appeal.

CM stands disposed of.

RFA No.4807 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 Piryavert'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.931 days.

20.12.2016

neenu

**(ARUN PALLI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable-

Yes/No