

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

**107**

**RFA No.4869 of 2016(O&M)**

**Date of decision: 23.12.2016**

Durga Parshad and others

... Appellants

Versus

State of Haryana and others

... Respondents

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

Present: Mr.Rajender Kumar, Advocate for  
Mr.M.S.Tewatia, Advocate  
for the appellants

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**ARUN PALLI J. (Oral)**

**CM-13585 and 13587-CI-2016**

Applications are allowed as prayed for.

**CM-13584-CI-2016**

This is an application for condonation of delay of 2279 days in filing the accompanying 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 28.03.2016, rendered by this court in RFA No.2322 of 2011 [**Usha Rani and others v. State of Haryana and others**] and other connected cases, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the landowners to ₹ 48,57,000/- per acre.

Notice.

On the asking of the Court, Mr.Abhinash Jain, AAG Haryana, present in the Court, accepts notice on behalf of respondents No.1 & 2; and Mr. Rajesh Goyal, Advocate for Mr.Pritam Singh Saini, Advocate, accepts notice on behalf of respondents No.3 & 4.

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 *Samiyathal and others versus Special Tehsildar and others, 2015(2) RCR (Civil) 441*, *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 2279 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in filing the appeal the applicants shall not be entitled to any interest on the enhanced compensation.

CM stands disposed of.

**CM No.13586-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 Ram Kali-appellant No.5, who is stated to have died on 20.07.2015, 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-4869-2016**

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 *Usha Rani's case (supra)*, the present appeal is disposed of in the same terms. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 2279 days.

23.12.2016

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

Whether speaking/reasoned

Yes/No.

Whether reportable-

Yes/No