

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

RFA No.488 of 2016(O&M)
Date of decision: 02.08.2016

Har Pal and others

... Appellants

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. MS Rana, Advocate for the appellants.
Mr. Shivendra Swaroop, AAG, Haryana,
for contesting respondents No.1 & 2.

ARUN PALLI J. (Oral)

CM-1259-CI-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 legal representative of late Diwan Singh s/o Bharat Singh, who is stated to have passed away during the pendency of reference on 07.07.2005, is granted leave to institute and maintain the appeal.

CM-1258-CI-2016

This is an application for condonation of delay of 1663 days in filing the accompanying appeal.

No reply has been filed despite opportunities.

All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 01.09.2014, rendered by this court in RFA No.2250 of 2011 - Risal Singh v. State of Haryana and another, vide which the compensation awarded to the landowners was enhanced by this court.

Learned State counsel does not dispute the factual position, as set out above.

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 1663 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.

RFA-488-2016

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 Risal 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 for the period of delay in filing the appeal i.e. 1663 days.

August 2, 2016
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned: YES/NO

Whether Reportable: YES/NO