

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

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RFA No.938 of 2016(O & M)

Date of Decision:06.09.2016

Chander Pal and others

....appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Rahul Sharma, Advocate for
Mr.Salil Bali, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.3046-CI of 2016

Application is allowed as prayed for.

CM No.3045-CI of 2016

This is an application for condonation of delay of 35 days in re-filing the appeal.

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Delay of 35 days in re-filing the appeal is condoned.

CM stands disposed of.

CM No.3044-CI of 2016

This is an application for condonation of delay of 1182 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 03.11.2015, rendered by this court in RFA No.5360 of 2011 - Kehar Singh v. State of Haryana and others, vide which, in the appeals, arising out of the same acquisition, this Court had enhanced the compensation, qua the land that abutted the G.T.Road, upto the depth of four acres, at ₹ 42 lakhs

per acre and ₹ 32 lakhs per acre, for the remaining land.

Notice in the application.

On the asking of the Court, Mr.Shivendra Swaroop, AAG Haryana, present in the Court, accepts notice on behalf the respondents.

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 1182 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 No.938 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 Kehar 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.1182 days.

06.09.2016

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No