

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

**FAO No.6589 of 2016 (O&M)
Date of Decision : 22.03.2017**

Rajpinder Singh

... Appellant

Versus

**Union of India through its Secretary, Ministry of Road Transport and
Highways, New Delhi and others**

... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Sherry K. Singla, Advocate for the appellant.

Mr. D.K.Singal, Advocate for respondents No.1 and 2.

ARUN PALLI, J. (Oral)

CM No.22569-CII of 2016

Allowed as prayed for.

CM No.22570-CII of 2016

This is an application seeking condonation of delay of 875 days
in filing the accompanying appeal.

Notice in this application was issued to the respondents and
reply thereto has been filed.

All what has been urged by learned counsel for the applicant is
that the matter in issue is squarely covered by the order and judgment, dated
15.02.2017, rendered by this Court in FAO No.6522 of 2016 [**Mangal Dass
v. Govt. of India through Secretary, Ministry of Road Transport and
Surface/Highways and others**], vide which in the appeal arising out of the

same acquisition, this Court had enhanced the compensation awarded to the land owners to ₹ 4,50,000 per marla.

The factual position as set out above, is not disputed by learned counsel for respondents No.1 & 2.

I have heard learned counsel for the parties and perused the records.

In the wake of the decisions 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 875 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in filing the appeal the applicant shall not be entitled to any interest on the enhanced compensation.

CM stands disposed of.

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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 **Mangal Dass** case (supra), the present appeal is disposed of in the same terms. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 875 days.

22.03.2017

Rajan

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No