

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

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RFA No.3094 of 2015(O & M)

Date of Decision:01.05.2017

Kapoor Singh

....appellant

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Rajesh Lamba, Advocate
for the appellant

Mr.Shivendra Swaroop, AAG Haryana

ARUN PALLI, J. (ORAL):

CM No.5699-CI of 2016

This is an application for condonation of delay of 2277 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgement dated 12.02.2014, rendered by this Court in **RFA No.718 of 2004**, titled “Hari Singh and another versus State of Haryana and others”, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the landowners to ₹ 334.80/- per sq.yard.

Notice.

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 2277 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant shall not be entitled to 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 Hari Singh's case (Supra), the present appeal is disposed of in terms of the said decision. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e.2277 days.

May 01, 2017
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(ARUN PALLI)
JUDGE

Whether speaking/reasoned Yes/No.

Whether reportable- Yes/No