

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

**CM No.10716-CI of 2016 in/and
RFA No.3881 of 2016 (O&M)
Date of Decision : 17.01.2017.**

Ram Kishan and others

.....Appellants

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. J.P.Ahlawat, Advocate for
Mr. N.D.Achint, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No.10715-CI-2016

For the reasons set out in the application, the delay of 201 days that has occurred in re-filing the accompanying appeal is condoned.

C.M. disposed of.

CM No.10716-CI of 2016

This is an application for condonation of delay of 2248 days in filing the accompanying appeal. All what has been urged by the learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 6.8.2013, rendered by this court in RFA No.1528 of 2009 (Smt. Santra Devi and others Vs. The State of Haryana and others), vide which, the compensation awarded to the landowners was enhanced to ₹1596/- per square yard.

Notice in the application.

Ms. Safia Gupta, AAG, Haryana, present in Court, accepts notice on behalf of the respondents.

The factual position, as set out above, is not disputed by learned State counsel.

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 2248 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.

RFA No.3881 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 *Smt. Santra Devi's case (supra)*, the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 2248 days.

17.01.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No