

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

**RFA No.3927 of 2016 (O&M)
Date of Decision : 29.03.2017.**

Janak Raj and others

.....Appellants

Versus

The State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Lakhwinder Singh, Advocate for
Mr. M.S.Tewatia, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No.10806-CI of 2016

Allowed as prayed for.

CM No.10804-CI of 2016

This is an application for condonation of delay of 2154 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 28.03.2016, rendered by this court in RFA No.2322 of 2011 (Usha Rani and others Vs. 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 Rs.48,57,000/- per acre.

Notice in the application.

Ms. Safia Gupta, AAG, Haryana, present in Court, accepts notice on behalf of respondents No.1 and 2 and Mr. Pritam Saini, Advocate on behalf of respondents No.3 and 4.

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 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 2154 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.

CM No.10805-CI of 2015

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed, subject to all just exceptions. Accordingly, legal representatives of late Sh.Ashok Kumar, who is stated to have died on 12.04.2010, as depicted in paragraph 2 of the application are brought on record for the purpose of pursuing the present appeal only.

CM stands disposed of.

RFA No.3927 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 *Usha Rani'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. 2154 days.

29.03.2017

Raman/Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No