

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

**CM No.11399-CI of 2016 in/and
RFA No.4105 of 2016 (O&M)
Date of Decision : 31.01.2017.**

Jagmal Singh and others

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. A.S.Yadav, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No.11399-CI of 2016

This is an application for condonation of delay of 657 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 19.02.2016, rendered by this court in RFA No.48 of 2012 (Harphool Vs. State of Haryana and others), and other connected matters, vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation to ₹4044/- per square yard.

Notice in the application.

Mr. Shivendra Swaroop, AAG, Haryana, present in Court, accepts notice on behalf of respondents No.1 to 3.

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 657 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.11400-CI of 2016

Allowed as prayed for.

CM No.11401-CI-2016

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed, subject to all just exceptions. Consequently, leave is granted to the legal representatives of late Ramphal, who is stated to have passed away on 02.06.2013, during the pendency of the reference, to institute and maintain the present appeal.

RFA No.4105 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 Harphool'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. 657 days.

31.01.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No