

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

RFA No.4138 of 2016(O&M)
Date of decision: 23.01.2017

Chandu Lal

... Appellant

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. BK Bagri, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM-11468-CI-2016

Allowed, as prayed for.

CM-11469-CI-2016

This is an application seeking condonation of delay of 1587 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 judgment, dated 11.05.2016, rendered by this court in RFA No.2057 of 2012 [**Jai Lal v. State of Haryana and others**] and other connected matter, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation uniformly to ₹ 32,47,452/- per acre.

Notice.

Ms. Safia Gupta, AAG, Haryana, and Mr. Yogesh Chaudhary, Advocate, present in court, accepts notice on behalf of respondents No.1 & 2, and respondents No.3 & 4, respectively.

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 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 1587 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.

RFA-4138-2016

For, the learned counsel for the parties are *ad idem* that the matter in issue is squarely covered by the decisions rendered by this court in Jai Lal's 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. 1587 days.

January 23, 2017
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO