IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA No.4150 of 2016 (O&M)
Date of Decision:23.01.2017

Atar Singh and others

....Appellant(s)

Versus

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr. Mahipal S. Yadav, Advocate
for the appellant(s).

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ARUN PALLI, J. (ORAL):

CM-11482-CI-2016

This is an application seeking condonation of delay of 17 days in re-filing the accompanying appeal.

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

CM-11483-CI-2016

This is an application seeking condonation of delay of 1885 days in filing the accompanying appeal.

All what has been urged by 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 v. State of Haryana and others**] and other connected cases, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the landowners to ₹ 48,57,000/- per acre.

Notice.

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

Sanjeev Kumar
2017.01.25 14:06
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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 1885 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-4150-2016

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 the same terms. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 1885 days.

23.01.2017 **(ARUN PALLI)**
sanjiv **JUDGE**

Whether speaking/reasoned Yes/No.
Whether reportable Yes/No

Sanjeev Kumar
2017.01.25 14:06
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