

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

**RFA No.4156 of 2016 (O&M)
Date of Decision : 24.04.2017.**

Kanhaiya

.....Appellant(s)

Versus

State of Haryana and others

..... Respondent(s)

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Deepender Ahlawat, Advocate
for the appellant(s).

ARUN PALLI, J. (Oral)

CM No.11500-CI-2016

Allowed as prayed for.

CM No.11501-CI of 2016

This is an application for condonation of delay of 1605 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 4.2.2016, rendered by this court in RFA No.266 of 2012 (Joginder Singh Tokash Vs. State of Haryana and others), and other connected matters, vide which, the compensation awarded to the claimants/landowners was enhanced by this Court.

Notice in the application.

Mr.Shivendra Swaroop, AAG, Haryana, present in Court, accepts notice on behalf of respondents No.1 and 2 and Mr. Yogesh Chaudhary, Advocate for respondent No.3.

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 1605 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.4156 of 2016

For order, see the judgment of even date passed in **RFA No.131 of 2017** titled "**Sispal (deceased th. LRs.) vs. State of Haryana and others.**"

24.04.2017

dharamvir

(ARUN PALLI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No