

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

**CM No.11575-CI of 2016 in/and
RFA No.4212 of 2016 (O&M)
Date of Decision : 23.01.2017.**

Anguri Devi

.....Appellant

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Rohan Sharma, Advocate for
Mr. Vikram Singh, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM No.11574-CI of 2016

For the reasons set out in the application, the delay of 72 days that has occurred in re-filing the accompanying appeal is condoned.

C.M. disposed of.

CM No.11575-CI-2016

This is an application for condonation of delay of 743 days in filing the accompanying appeal. All what has been urged by the learned counsel for the applicant is that the matter in issue is squarely covered by the judgment, dated 22.12.2015, rendered by this court in RFA No.1515 of 2014 (Harijan Co-operative Society Ltd. Vs. State of Haryana and another), and other connected matters, vide which, this Court had awarded the compensation @ ₹33,00,000/- per acre for the land that abutted Safidon-Jind Road upto the depth of two acres and for the land that was situated beyond that @ ₹24,75,000/- per acre.

Notice in the application.

Ms. Safia Gupta, AAG, Haryana, present in Court, accepts notice on behalf of the respondents.

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. LR. v. Haryana State and others*, 2015 (2) RCR (Civil) 507, delay of 743 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.

CM No.11576-CI-2016

Allowed as prayed for.

RFA No.4212 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 *Harijan Co-operative Society Limited's case (supra)*, the present appeal is disposed of in terms of the said decision. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 743 days.

23.01.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No