

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

**RFA No.4227 of 2016 (O&M)
Date of Decision:24.04.2017.**

Pohkar since deceased through his LRs.

.... Appellant(s).

Versus

State of Haryana and others

....Respondent(s).

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.B.K.Bagri, Advocate for the appellant(s).

ARUN PALLI, J. (Oral)

CM No.11624-CI-2016.

Allowed as prayed for.

CM No.11625-CI-2016

This is an application for condonation of delay of 1631 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 1631 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.11626-CI of 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, the LRs of late Pohkar who expired on 13.02.2009 as depicted in para 2 of the application, are brought on record for the purpose of pursuing the present appeal only.

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For order, see the judgement of even date passed in **RFA No.131 of 2017** titled **“Sispal (deceased th.LRs) Vs. State of Haryana and others”**.

April 24, 2017
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(ARUN PALLI)
JUDGE

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