

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

**234**

**RFA No.4239 of 2016(O & M)**

**Date of Decision:01.02.2017**

Same Ram(deceased) th.LRs

....appellants

Versus

State of Haryana and others

.....respondents

**CORAM: HON'BLE MR.JUSTICE ARUN PALLI**

Present: Mr.N.S.Panwar, Advocate  
for the appellants

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**ARUN PALLI, J. (ORAL):**

**CM No.11694-CI of 2016**

Application is allowed as prayed for. Deficiency in court fee is allowed to be made good.

CM stands disposed of.

**CM No.11692-CI of 2016**

This is an application for condonation of delay of 65 days in re-filing the appeal.

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Delay of 65 days in re-filing the appeal is condoned.

CM stands disposed of.

**CM No.11693-CI of 2016**

This is an application for condonation of delay of 965 days in filing the appeal.

All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgement dated 20.11.2015, rendered by this court in RFA No.3810 of 2013 (Raghubir Singh

and another Vs. State of Haryana and another), vide which, this Court had enhanced the compensation awarded to the landowners to ₹ 353/- per square yard.

Notice.

On the asking of the Court, Ms. Safia Gupta, AAG, Haryana, present in Court, accepts notice on behalf of respondents No.1 to 3. For, respondents No.4 to 6 purport to be merely proforma party, resultantly, their service is dispensed with.

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 decision 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 965 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

**CM No.11695-CI of 2016**

For the reasons set out in the application, that is duly supported by an affidavit, same is allowed, subject to all just exceptions. Consequently, legal representatives of deceased Same Ram-sole appellant who is stated to have died on 31.08.2014, as depicted in para No.3 of the application, are brought on record, for the purpose of pursuing the appeal

only.

CM stands disposed of.

**RFA No.4239 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 Raghbir Singh's case (Supra), the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e.965 days.

February 01, 2017

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**(ARUN PALLI)**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable-

Yes/No