

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

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RFA No.4268 of 2016(O & M)

Date of Decision:01.02.2017

Turti Ram (deceased) th.LRs and others

....appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Sanjay Mittal, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.12062-CI of 2016

Application is allowed as prayed for.

CM No.12060-CI of 2016

This is an application for condonation of delay of 58 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 58 days in re-filing the appeal is condoned.

CM stands disposed of.

CM No.12063-CI of 2016

This is an application for condonation of delay of 2212 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 06.11.2015, rendered by this court in RFA No.3787 of 2009 - Gaje Singh and others v. State of Haryana and another. vide which, in the appeals arising out of the same acquisition, this Court had enhanced the

compensation awarded to the landowners.

Notice.

On the asking of the Court, Ms.Safia Gupta, AAG Haryana, present in the Court, accepts notice on behalf respondents No.1 and 2 and Mr.Pritam Saini, Advocate, accepts notice on behalf of respondents No.3 and 4.

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 2212 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.12061-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 Krishan son of Turti Ram-appellant No.2, who is stated to have died on 28.08.2015, as depicted in para No.2 of the application, are brought on record, for the purpose of pursuing the appeal only.

CM stands disposed of.

RFA No.4268 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 Gaje 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.2212 days.

February 01, 2017
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(ARUN PALLI)
JUDGE

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