

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

**CM No.12095-CI of 2016 in/and
RFA No.4290 of 2016 (O&M)
Date of Decision : 31.01.2017.**

Ramgopal and others

.....Appellants

Versus

Union of India and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Sajjan Singh Malik, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No.12095-CI of 2016

This is an application for condonation of delay of 807 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 16.02.2016, rendered by this court in RFA No.3397 of 2014 (Katar Singh and others Vs. State of Haryana and others), and other connected matters, vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the landowners.

Notice in the application.

Mr. S.K.Mahajan, Advocate has caused appearance on behalf of respondent No.1 and Mr. Shivendra Swaroop, AAG, Haryana, present in Court, accepts notice on behalf of respondents No.2 and 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. LR. v. Haryana State and others, 2015 (2) RCR (Civil) 507, delay of 807 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.

CM No.12096-CI of 2016

Allowed as prayed for.

RFA No.4290 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 Katar 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. 807 days.

31.01.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No