

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

RFA No.4323 of 2016(O&M)
Date of decision: 02.08.2017

Khem Chand and others

... Appellants

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Adish Gupta, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-12197-CI-2016

This is an application seeking condonation of delay of 2511 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 07.01.2016, rendered by this court in RFA No.3944 of 2002 [**Mam Chand and others v. State of Haryana and another**] and other connected cases, vide which, as regards the land situated in the revenue estate of Village Kidwali and for the same purpose, this court had enhanced the compensation awarded to the claimant-land owners to ₹ 201/- per sq. yard.

Notice.

Mr. Shivendra Swaroop, 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 record.

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, the delay of 2511 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.

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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 Mam Chand's case (supra), the present appeal is disposed of in the same terms. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 2511 days.

(Arun Palli)
Judge

August 2, 2017
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO