

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

221

RFA No.4438 of 2016(O & M)

Date of Decision:20.02.2017

Nirmala Devi (deceased) th.LRs. and others

....appellants

Versus

State of Punjab

.....respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Gaurav Mohunta, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.12427-CI of 2016

Application is allowed as prayed for. Court fees affixed on the appeal is accepted.

CM stands disposed of.

CM No.12429-CI of 2016

Application is allowed as prayed for.

CM No.12428 -CI of 2016

This is an application for condonation of delay of 1910 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 27.01.2016, rendered by this Court in **RFA No.3367 of 2011**, titled “Sadhu Ram versus State of Punjab” 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 to ₹ 15,95,600/- per acre.

Notice.

On the asking of the Court, Mr.K.K.Gupta, Addl.AG Punjab,

present in the Court, accepts notice on behalf of the respondents.

The factual position as set out above, is not disputed by learned State counsel.

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 1910 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant/s shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM No.12430-CI of 2016

Application is allowed as prayed for. Sale deeds Annexure A1 and A2 are taken on record.

CM No.12431-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 Nirmala Devi and Hoshiar Singh-appellants No.1 and 4, as depicted in para Nos.5 and 6 of the application, are brought on record, for the purpose of pursuing the appeal only.

CM stands disposed of.

RFA No.4438 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

Sadhu Ram'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.1910 days.

February 20, 2017
neenu

(ARUN PALLI)
JUDGE

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