

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

207

RFA No.4650 of 2016(O & M)

Date of Decision:01.08.2017

Gurnam Singh (deceased th.LRs.)

....appellants

Versus

State of Punjab and another

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Chanchal K.Singla, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM-13013-CI-2016

Application is allowed as prayed for.

CM-13012-CI-2016

This is an application for condonation of delay of 1266 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 judgment, dated 02.03.2016, rendered by this court in RFA No.991 of 2013 [**Tarlochan Singh and another v. State of Punjab and another**] and other connected cases, and subsequent order dated 16.05.2016, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the claimants-landowners to ₹ 1418/- per square yard.

Notice.

On the asking of the Court, Ms.Lavnaya Paul, AAG Punjab,

present in the 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 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 1266 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-13014-CI-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 Gurnam Singh-appellant, who is stated to have died on 12.06.2014, 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-4650-2016

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 *Tarlochan Singh and another's case* (supra), and subsequent order dated 16.05.2016, 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.1266 days.

August 01, 2017
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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No