

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

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RFA No.4740 of 2016(O & M)

Date of Decision:14.03.2017

Kamla and others

....appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Kanav Bansal, Advocate for
Mr.M.K.Garg, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.13198-CI of 2016

This is an application for condonation of delay of 515 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 30.10.2015, rendered by this court in RFA No.9821 of 2014 (Baru and others Vs. State of Haryana), vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the landowners.

Notice to respondents No.1 to 3 only. For, respondents No.4 to 7 are alleged to be proforma party, their service is dispensed with.

Mr. Shivendra Swaroop, AAG, Haryana, present in Court, accepts notice on behalf of respondents No.1 to 3.

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

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 515 days in filing the accompanying appeal is condoned. However, for the period of delay the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM No.13199-CI of 2016

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed, subject to all just exceptions. Accordingly, legal representatives of late Rajinder-respondent No.4, who is stated to have died on 23.01.2016, as depicted in paragraph 2 of the application are brought on record for the purpose of pursuing the present appeal only.

CM stands disposed of.

CM No.13200-CI of 2016

Application is allowed as prayed for and Annexure A-1 is taken on record.

RFA No.4740 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 Baru's case (supra), the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest for the period of delay in filing the appeal i.e. 515 days.

March 14, 2017

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No