

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

**RFA No.4745 of 2016 (O&M)
Date of Decision : 27.02.2017.**

Sachin Jain

.....Appellant

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Amit Jain, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM No.13213-CI of 2016

This is an application for condonation of delay of 2276 days in filing the accompanying appeal. All what has been urged by the learned counsel for the applicant is that the matter in issue is squarely covered by the judgment, dated 10.12.2015, rendered by this court in RFA No.2269 of 2010 (Phool Singh and another Vs. State of Haryana and another), 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.

On the asking of the Court, 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 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. LRs. v. Haryana State and others, 2015 (2) RCR (Civil) 507, delay of 2276 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in

filing the appeal the applicant 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 Phool Singh's case (supra), the present appeal is disposed of in terms of the said decision. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 2276 days.

27.02.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No