

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

**RFA No.4761 of 2016 (O&M)
Date of Decision : 27.02.2017.**

Naresh Kumar and others

.....Appellants

Versus

State of Haryana through District Collector, Rewari and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. B.K.Bagri, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-13279-CI-2016

For the reasons set out in the application, the delay of 76 days that has occurred in re-filing the accompanying appeal is condoned.

C.M. disposed of.

CM No.13280-CI of 2016

This is an application for condonation of delay of 643 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 10.12.2015, rendered by this court in RFA No.5138 of 2011 (State of Haryana and others Vs. Lal Singh and another).

Notice in the application.

On the asking of the Court, Mr. Shivendra Swaroop, AAG, Haryana, present in Court, accepts notice on behalf of respondents No.1 and 2. For, respondents No.3 to 5 are alleged to be proforma party, their service is dispensed with.

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 643 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.

RFA No.4761 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 *Lal Singh's case (supra)*, the present appeal too 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. 643 days.

27.02.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No