

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

**RFA No.4762 of 2016 (O&M)
Date of Decision : 27.02.2017.**

**Prem Singh (since deceased) through his LRs and others
.....Appellants**
Versus

**Union of India and another
..... Respondents**

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Balkar Singh, Advocate for the appellants.

ARUN PALLI, J. (Oral)
CM-13281-CI-2016

For the reasons set out in the application, the delay of 8 days that has occurred in re-filing the accompanying appeal is condoned.

C.M. disposed of.

CM No.13282-CI of 2016

This is an application for condonation of delay of 704 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 16.02.2016, rendered by this court in RFA No.3397 of 2014 (Katar Singh and others Vs. State of Haryana and others), 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.

Notice in the application.

On the asking of the Court, Ms. Chetna Rao, Advocate, on behalf of respondent No.1 and Mr. Shivendra Swaroop, AAG, Haryana, on behalf of respondent No.2, accept notice.

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 704 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.

CM No.13283-CI-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. Consequently, the delay in making good the deficiency in Court fee is condoned.

CM-13284-CI-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 Prem Singh, who is stated to have died on 17.11.2010, as depicted in paragraph 1 of the application are brought on record for the purpose of pursuing the present appeal only.

RFA No.4762 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 *Katar Singh'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. 704 days.

27.02.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No