

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

**RFA No.4809 of 2016 (O&M)
Date of Decision : 16.03.2017.**

Mahabir Singh

.....Appellant

Versus

**Land Acquisition Collector-cum-District Revenue Officer, Rewari and
others**

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Abhishek Yadav, Advocate for the appellant.

ARUN PALLI, J. (Oral)
CM-13434-CI-2016

For the reasons set out in the application, the delay of 81 days that has occurred in re-filing the accompanying appeal is condoned.

C.M. disposed of.

CM No.13435-CI of 2016

This is an application for condonation of delay of 1463 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 12.05.2016, rendered by this court in RFA No.4223 of 2012 (Executive Engineer/Construction, Northern Railway, Rohtak Vs. Abhey Singh 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 to ₹30,47,619/- per acre.

Notice in the application.

On the asking of the Court, Mr. Shivendra Swaroop, AAG, Haryana, present in Court, accept notice on behalf of respondents No.1 and 2 and Ms. Chetna Rao, Advocate for respondent No.3.

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 1463 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.

CM No.13436-CI-2016

Allowed as prayed for.

CM-13437-CI-2016

Allowed as prayed for.

RFA No.4809 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 *Abhey 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. 1463 days.

16.03.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No