

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

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RFA No.4820 of 2016(O & M)

Date of Decision:14.03.2017

Shri Chand

....appellant

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Rajender Kumar, Advocate for
Mr.M.S.Tewatia, Advocate for the appellants

ARUN PALLI, J. (ORAL):

CM No.13470-CI of 2016

This is an application for condonation of delay of 77 days in re-filing the accompanying appeal.

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Delay of 77 days in re-filing the appeal is condoned.

CM stands disposed of.

CM No.13471-CI of 2016

This is an application for condonation of delay of 1456 days in filing the appeal.

All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgement dated 10.12.2015, rendered by this Court in **RFA No.5231 of 2014**, titled “Bhagwan Dass versus 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.

On the asking of the Court, Mr.Shivendra Swaroop, AAG

Haryana, present in the 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 record.

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 1456 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

RFA No.4820 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 Bhagwan Dass'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.1456 days.

March 14, 2017

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No