

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

205

RFA-4823-2016(O & M)

Date of Decision:11.08.2017

Mengha Ram (deceased) th.LRs.

....appellants

Versus

The Punjab State and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Narinder Lucky, Advocate
for the appellants

Ms.Lavanya Paul, AAG Punjab

ARUN PALLI, J. (ORAL):

CM-13475-CI-2016

This is an application for condonation of delay of 7392 days in filing the appeal.

Notice in the application was issued to the non-applicants/respondents. Learned State counsel has filed reply to the application in the Court today and the same is taken on record. Learned counsel for the appellants submits, at the outset, that the explanation rendered in the application hardly constitute any sufficient cause. However, he submits that matter in issue is squarely covered by the judgement dated 14.05.2008, rendered by this Court in **RFA No.1606 of 1995**, titled “Gurbhajan Singh versus The Land Acquisition Collector 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.

The factual position as set out above, is not disputed by learned

State counsel.

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 7392 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicants shall not be entitled to 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 Gurbhajan'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.7392 days.

August 11, 2017

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No