

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

**RFA No.4891 of 2016 (O&M)
Date of Decision : 17.03.2017.**

Hari Om and others

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Virendra Rana, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No.13650-CI-2016

Allowed as prayed for.

CM No.13649-CI of 2016

This is an application for condonation of delay of 823 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 27.05.2016, rendered by this court in RFA No.5316 of 2014 (Pushpender Kumar and others Vs. State of Haryana and another), and other connected cases, 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.

Mr. Shivendra Swaroop, AAG, Haryana, present in Court, accepts notice on behalf of the respondents.

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 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 823 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.4891 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 *Pushpender Kumar'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. 823 days.

17.03.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No