

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

RFA No.4908 of 2016(O&M)
Date of decision: 09.01.2017

Mainawati (deceased) through LRs and others

... Appellants

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Ankit Gutpa, Advocate for
Ms. Anita Balyan, Advocate for the appellants.

ARUN PALLI J. (Oral)

CM-13720-CI-2016

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the appeal is taken on board.

CM-13719-CI-2016

For the reasons set out in the application, the delay of 96 days in re-filing the accompanying appeal is condoned.

CM stands disposed of.

CM-13721-CI-2016

This is an application for condonation of delay of 700 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 12.02.2016, rendered by this court in RFA No.1427 of 2014 [**Rajit and another v. State of Haryana and others**] and other connected cases, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the land owners to ₹ 19,91,300/- per acre.

Notice.

Mr. Shivendra Swaroop, Addl. AG, 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 record.

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 700 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-4908-2016

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 Rajit's case (supra), the present appeal is disposed of in the same terms. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 700 days.

January 9, 2017
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO