

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

**RFA No.4953 of 2016 (O&M)
Date of Decision : 25.07.2017.**

Lachhmi Devi

.....Appellant

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Naresh Kaushal, Advocate for the appellant.
Ms. Lavanya Paul, AAG, Punjab.
Mr. Karan Gupta, Advocate for respondent No.2.

ARUN PALLI, J. (Oral)

CM No.13779-CI of 2016

This is an application for condonation of delay of 1231 days in filing the accompanying appeal. Notice in the application was issued to the non-applicant/respondents and a reply thereto on behalf of respondent No.2 has been filed in the Court today and the same is taken on record.

All what has been urged by the learned counsel for the applicant is that the matter in issue is squarely covered by the order and judgment, dated 15.01.2014, rendered by the Supreme Court in Civil Appeal No.331 of 2014 (Paramjit Panag and others Vs. State of Punjab), vide which, the compensation awarded to the claimants/landowners was further enhanced by ₹2,00,000/- per acre over and above what was awarded by this Court in RFA No.3004 of 2006 (Surjit Singh Vs. State of Punjab and another) decided on 2.3.2009.

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. LR. v. Haryana State and others, 2015 (2) RCR (Civil) 507, delay of 1231 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.

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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 of the Supreme Court dated 15.01.2014, rendered in C.A. No.331 of 2014 (Paramjit Panag and others Vs. State of Punjab) vide which, the compensation was enhanced by ₹2,00,000/- per acre over and above what was awarded by this Court in RFA No.3004 of 2006 (Surjit Singh Vs. State of Punjab and another) decided on 2.3.2009, the present appeal too is disposed of in terms of the said decision. However, the appellant shall not be entitled to any interest on the enhanced compensation for the period of delay in filing the appeal i.e. 1231 days.

25.07.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No