

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

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**RFA No.1 of 2017(O & M)
Date of Decision:05.07.2017**

Bhagwan

....appellant

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.S.R.Hooda, Advocate for the appellant

ARUN PALLI, J. (ORAL):

CM No.3-CI of 2017

Application is allowed as prayed for.

CM No.4-CI of 2017

This is an application seeking condonation of delay of 12 days
in re-filing the appeal.

For the reasons set out in the application, that is duly supported
by an affidavit, the same is allowed. Delay of 12 days in re-filing the appeal
is condoned.

CM stands disposed of.

CM No.5-CI of 2017

This is an application for condonation of delay of 713 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
18.02.2016, rendered by this Court in **RFA No.6809 of 2014**, titled
“Raghbir and others versus State of Haryana and others”, 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 respondents No.1 and 2 and Mr.Pritam Saini, Advocate, accepts notice on behalf of respondent No.3.

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 713 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.1 of 2017

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 Raghbir'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.713 days.

July 05, 2017

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Whether speaking/reasoned

Whether reportable-

(ARUN PALLI)

JUDGE

Yes/No.

Yes/No