

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

216

RFA No.1076 of 2017(O & M)

Date of Decision:17.05.2017

Rano Devi and others

....appellants

Versus

Union of India and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Rajan Bhargava, Advocate for
Mr.Vishal Aggarwal, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.2724-CI of 2017

This is an application for condonation of delay of 18 days in re-filing the accompanying appeal.

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Delay of 18 days in re-filing the appeal is condoned.

CM stands disposed of.

CM No.2725-CI of 2017

This is an application for condonation of delay of 3009 days in filing the appeal.

All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgement dated 17.02.2016, rendered by this Court in **RFA No.2902 of 1999**, titled “Union of India and another versus Major Pritam Singh and another”, and other connected matters, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation uniformly to

₹ 2300/- per marla.

Notice.

On the asking of the Court, Mr.Shivay Dhir, Central Government Counsel, present in the Court, accepts notice on behalf of respondent No.1 and Mr.K.K.Gupta, Addl.AG Punjab, accepts notice on behalf of respondent Nos.2 and 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 3009 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.

CM No.2726-CI of 2017

For the reasons set out in the application, that is duly supported by an affidavit, same is allowed, subject to all just exceptions. Consequently, legal representatives of deceased Laxami Devi-appellant No.2, who is stated to have died on 10.12.2006, during the pendency of the Reference, are granted leave to institute and maintain the accompanying appeal.

CM stands disposed of.

RFA No.1076 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 Major Pritam Singh'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.3009 days.

May 17, 2017

neenu

**(ARUN PALLI)
JUDGE**

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No