

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

**RFA No.1125 of 2017 (O&M)
Date of Decision : 28.02.2017.**

Mehar Singh and others

.....Appellants

Versus

Union of India and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. R.S.Manhas, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No.2803-CI of 2017

This is an application for condonation of delay of 3362 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 17.02.2016, rendered by this court in RFA No.2902 of 1999 (Union of India and another Vs. 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 in the application.

Mr. Vivek Singla, Advocate, on behalf of respondents No.1 and 4 and Mr. K.K.Gupta, Addl. A.G. Punjab on behalf of respondents No.2 and 3, accept notice.

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. LRs. v. Haryana State and others, 2015 (2) RCR (Civil) 507, delay of 3362 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.

CM-2804-CI-2017

Allowed as prayed for.

CM No.2805-CI-2017 in/and RFA No.1125 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. 3362 days.

28.02.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No