

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA-1149-2017 (O&M)

Date of Decision: March 1, 2017

Narender Kataria and another

...Appellants

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. J.P. Ahlawat, Advocate,
for the appellants.

ARUN PALLI, J. (ORAL)

CM-2876-CI-2017:

This is an application for condonation of delay of 1600 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 judgment, dated 20.05.2016, rendered by this Court in **RFA No. 4475 of 2012**, titled “**Ram Chander and another v. State of Haryana and others**”, and other connected matters, vide which in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the claimant/landowners.

Notice.

Ms. Safia Gupta, Assistant Advocate General, Haryana, present in Court, accepts notice on behalf of the respondents.

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 Hon'ble the Supreme Court in **Imrat Lal and others v. Land Acquisition Collector and others, 2015 (2) R.C.R. (Civil) 437** and **Dhiraj Singh (D) Tr. LRs v. Haryana State and others, 2015 (2) R.C.R. (Civil) 507**, delay of 1600 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant/appellants shall not be entitled to interest on the enhanced compensation.

Civil miscellaneous application 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 rendered by this court in **Ram Chander'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. 1600 days.

A copy of this order be sent to the Reference/Executing Court.

(ARUN PALLI)
JUDGE

March 01, 2017

P Kapoor

Whether Speaking/Reasoned:

YES / NO

Whether Reportable:

YES / NO