

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

**RFA No.1223 of 2017 (O&M)
Date of Decision : 14.03.2017.**

Raj Narain (now deceased) through LRs and others

.....Appellants

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Ajay Kumar Kansal, Advocate for the appellants.

ARUN PALLI, J. (Oral)
CM No.3155-CI of 2017

This is an application for condonation of delay of 836 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 30.10.2015, rendered by this court in RFA No.9821 of 2014 (Baru and others Vs. State of Haryana), and other connected cases, vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the landowners to ₹350/- per square yard for the land abutting the road, and ₹ 250/- per square yard beyond the depth of 2 acres from the road.

Notice in the application.

Mr. Shivendra Swaroop, AAG, Haryana, present in Court, accepts notice on behalf of the respondents.

The factual position, as set out above, is not disputed by learned State counsel.

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 836 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-3156-CI-2017 in/and RFA No.1223 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 Baru'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. 836 days.

14.03.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No