

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

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**RFA No.1260 of 2017(O & M)
Date of Decision:17.03.2017**

Sukhbir Singh and others

....appellants

Versus

State of Haryana and another

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

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

ARUN PALLI, J. (ORAL):

CM No.3316-CI of 2017

Application is allowed as prayed for.

CM No.3313-CI of 2017

This is an application for condonation of delay of 40 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 40 days in re-filing the appeal is condoned.

CM stands disposed of.

CM No.3315-CI of 2017

This is an application for condonation of delay of 1075 days in filing the accompanying 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 20.05.2016, rendered by this Court in **RFA No.4475 of 2012**, titled “Ram

Chander and another versus 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 landowners.

Notice.

On the asking of the Court, Mr.Shivendra Swaroop, AAG Haryana, present in the 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 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 1075 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 3314-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 Ishwanti, as depicted in the application, are brought on record, for the purpose of pursuing the appeal only.

CM stands disposed of.

CM 3317-CI of 2017

Application is allowed as prayed for. Amended title (Annexure A-1) is taken on record.

CM 3318-CI of 2017 and RFA No.1260 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 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.1075 days.

March 17, 2017
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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No