

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

RFA No.1298 of 2017(O&M)
Date of decision: 10.05.2017

Malkiat Singh

... Appellant

Versus

Land Acquisition Collector and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Abhinav Jain, Advocate for the appellant.

ARUN PALLI J. (Oral)

CM-3423-CI-2017

This is an application seeking condonation of delay of 1238 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgment dated 16.02.2016, rendered by this court in RFA No.1931 of 2014 [**Power Grid Corporation India Limited v. Ajmer Singh and another**] and other connected cases, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the land owners and as a necessary consequence the appeal preferred by the Power Grid Corporation India Limited were dismissed.

Notice.

Ms. Safia Gupta, AAG, Haryana and Mr. Mansoor Ali, Advocate, present in court, accept notice on behalf of respondent No.1 and respondent No.2, respectively.

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 record.

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, the delay of 1238 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in filing the appeal the applicant shall not be entitled to any interest on the enhanced compensation.

CM stands disposed of.

RFA-1298-2017

For, concededly the matter in issue is squarely covered by the decision rendered by this court in Ajmer Singh's case (supra), the present appeal is disposed of in the same terms. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 1238 days.

(Arun Palli)
Judge

May 10, 2017
Rajan/sonia arora

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO