

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

**RFA No.1317 of 2017 (O&M)**

**Date of Decision : 14.07.2017**

**Som Nath**

**.....Appellant**

**Versus**

**State of Haryana and another**

**..... Respondents**

**CORAM : HON'BLE MR.JUSTICE ARUN PALLI**

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

**ARUN PALLI , J. (Oral)**

**CM No.3453-CI of 2017**

For the reasons set out in the application, which is duly supported by an affidavit, the delay of 84 days that has occurred in re-filing the accompanying appeal is condoned.

CM stands disposed of.

**CM No.3454-CI of 2017**

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed, subject to all just exceptions. Accordingly, legal representatives of late Som Nath, who is stated to have died on 14.09.2014, as depicted in paragraph 2 of the application are brought on record for the purpose of pursuing the present appeal only. It is clarified that this order shall have no bearing if any dispute qua the registered will dated 12.06.2003, is pending before any Court.

CM stands disposed of.

**CM No.3452-CI of 2017**

This is an application for condonation of delay of 639 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 24.02.2016, rendered by this court in RFA No.3860 of 2014, (Ajmer Singh and others Vs. State of Haryana and others), and other

connected matters ,vide which, in the appeals preferred by the landowners, this Court had enhanced the compensation to ₹3610/- per square meter.

Notice in the application.

Ms. 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 the 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, delay of 639 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.

### RFA No.1317 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 *Ajmer Singh's case (supra)*, the present appeal is disposed of in terms of the said decision. However, the appellant shall not be entitled to interest for the period of delay in filing the appeal i.e. 639 days.

July 14, 2017

*Sonia arora/Manoj Bhutani*

**(ARUN PALLI)**  
**JUDGE**

Whether speaking/reasoned -  
Whether reportable-

Yes/No  
Yes/No