

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

-:-

**R.F.A No. 1320 of 2017 (O&M)
Date of Decision : 12.05.2017**

Dharambir & Anr.

... Appellants

versus

State of Haryana & Ors.

... Respondents

CORAM : HON'BLE MRS. JUSTICE ARUN PALLI

Present : Ms. Arun Yadav, Advocate, for the appellants.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reports or not?
3. Whether the judgment should be reported in the digest?

ARUN PALLI, J.

CM NO. 3459-CI OF 2017

For the reasons stated in the application, delay of 23 days in re-filing the appeal is condoned.

CM stands disposed of.

CM NO. 3460-CI OF 2017

This is an application seeking condonation of delay of 836 days in filing the accompanying appeal.

All what has been urged by the learned counsel for the applicant is that the matter in issue is squarely covered by the judgment 27.02.2016, rendered by this Court in RFA No.7705 of 2014 (Om Parkash & Ors. v. State of Haryana and another), and other connected matters vide which compensation has been enhanced to the applicants/claimants.

Notice.

Mr. Shivendra Swaroop, Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of respondents No.1 and 2.

Ms. Chetna Rao Advocate, accepts notice on behalf of respondent No.3.

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

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, it is clarified that in the event this appeal succeeds or this Court awards enhancement, the applicant/appellant shall not be entitled to any interest on the enhanced compensation for the period of delay in filing the appeal, i.e. 836 days.

CM NO. 3461-CI OF 2017

Allowed, as prayed for.

RFA NO. 1320 OF 2017

Learned counsel for the parties are ad idem that the matter is squarely covered by **Om Parkash's** case (supra).

Present appeal is disposed of in the same terms. However, the applicants shall not be entitled to any interest on the enhanced compensation for the period of delay i.e. 836 days in filing the appeal.

May 12, 2017
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(ARUN PALLI)
JUDGE

Whether speaking/reasoned – No
Whether reportable – Yes/No