

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

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RFA No.1426 of 2017(O & M)

Date of Decision:23.03.2017

Smt.Krishna and others

....appellants

Versus

Union of India and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Vikas Lochab, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.3663-CI of 2017

Application is allowed as prayed for. Annexure A1 is taken on record.

CM No.3661-CI of 2017

This is an application for condonation of delay of 1048 days in filing the 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 16.02.2016, rendered by this Court in **RFA No.3397 of 2014**, titled “Katar Singh and others versus State of Haryana and others”, 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, Ms.Chetna Rao, Advocate, present in the Court, accepts notice on behalf of respondent No.1 and Ms.Safia Gupta, AAG Haryana, accepts notice on behalf of respondents No.2 and 3.

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 1048 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 No.3662-CI of 2017 and RFA No.1426 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 Katar Singh'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.1048 days.

March 23, 2017

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No