

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

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RFA No.1480 of 2017(O & M)

Date of Decision:04.07.2017

Keshwati and others

....appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Rajender Kumar, Advocate for the appellants

ARUN PALLI, J. (ORAL):

CM No.3763-CI of 2017

Application is allowed as prayed for.

CM No.3761-CI of 2017

This is an application seeking condonation of delay of 136 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 136 days in re-filing the
appeal is condoned.

CM stands disposed of.

CM No.3762-CI of 2017

This is an application seeking condonation of delay of 1524
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
28.03.2016, rendered by this Court in **RFA No.2322 of 2011**, titled “Usha
Rani and others versus State of Haryana and others”, and other connected
cases, vide which, in the appeals arising out of the same acquisition, this

Court had enhanced the compensation awarded to the landowners to

₹ 48,57,000/- per acre.

Notice.

Ms.Safia Gupta, AAG Haryana, present in the Court, accepts notice on behalf respondents No.1 and 2 and Mr.Pritam Saini, Advocate, accepts notice on behalf of respondents No.3 and 4.

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 1524 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.

RFA No.1480 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 Usha Rani'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.1524 days.

July 04, 2017

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Whether speaking/reasoned

Whether reportable-

(ARUN PALLI)
JUDGE

Yes/No

Yes/No