

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

216/A

RFA No.1504 of 2017(O & M)

Date of Decision:03.07.2017

Mohan Lal (deceased) th.LRs.and others

...appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

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

ARUN PALLI, J. (ORAL):

CM No.3833-CI of 2017

This is an application for condonation of delay of 75 days in refiling the accompanying appeal.

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Delay of 75 days in re-filing the appeal is condoned.

CM stands disposed of.

CM No.3834-CI of 2017

This is an application for condonation of delay of 663 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 27.02.2016, rendered by this Court in **RFA No.7705 of 2014**, titled “Om Parkash and others versus State of Haryana and another”, and other connected matters, vide which, in the appeals arising out of the same acquisition, this Court had uniformly enhanced the compensation awarded to the landowners.

Notice.

On the asking of the Court, Ms.Safia Gupta, AAG Haryana, present in the Court, accepts notice on behalf respondents No.1 and 2 and Mr.Karaminder Singh, Advocate, accepts notice on behalf of respondent No.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 663 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.3835-CI of 2017

For the reasons set out in the application, that is duly supported by an affidavit, same is allowed, subject to all just exceptions. Consequently, legal representatives of deceased Ravidutt-appellant No.2, who is stated to have died on 14.04.2010, as depicted in para No.3 of the application, are brought on record, for the purpose of pursuing the appeal only.

CM stands disposed of.

RFA No.1504 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 the case of Om Parkash and others (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.663 days.

July 03, 2017

neenu/sonia arora

(ARUN PALLI)
JUDGE

Whether speaking/reasoned -
Whether reportable-

Yes/No
Yes/No