

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

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RFA No.1648 of 2017(O & M)

Date of Decision:17.04.2017

Balram @ Balia Ram(deceased) th.LRs.

....appellants

Versus

Punjab State and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.R.S.Manhas, Advocate for the appellants

ARUN PALLI, J. (ORAL):

CM 4208-CI of 2017

This is an application for condonation of delay of 6680 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 judgment, dated 26.08.2015, rendered by this Court in **RFA No. 226 of 1999**, titled “**The Punjab State and others v. Durgi Devi and others**”, vide which, in the appeals arising out of the same acquisition, this Court in **RFA No. 4525 of 2001 (Thuru Ram v. State of Punjab and others)** had enhanced the compensation awarded to the landowners.

Notice in the application.

Mr. K.K. Gupta, Additional Advocate General, Punjab, present in Court, accepts notice on behalf of the respondents.

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 record.

In the wake of the decisions of Hon'ble the Supreme Court in

Imrat Lal and others v. Land Acquisition Collector and others, 2015 (2) R.C.R. (Civil) 437 and Dhiraj Singh (D) Tr. LRs v. Haryana State and others, 2015 (2) R.C.R. (Civil) 507, delay of 6680 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant/appellants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM-4209-CI-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 Balram @ Balia Ram-appellant, who is stated to have died on 11.06.2014, as depicted in para No.2 of the application, are brought on record, for the purpose of pursuing the appeal only.

CM stands disposed of.

CM-4207-CI-2017 & RFA No. 1648 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 **Durgi Devi'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. 6680 days.

A copy of this order be sent to the Reference/Executing Court.

April 17, 2017

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No.

Whether reportable-

Yes/No