

**217/A IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

RFA No.173 of 2017(O & M)

Date of Decision:05.04.2017

Sohan Lal and others

....Appellants

Versus

State of Haryana and others

....Rrespondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Rohit Rana, Advocate
 for the appellants

ARUN PALLI, J. (ORAL):

CM No.404-CI of 2017

Application is allowed as prayed for.

CM No..408-CI of 2017

This is an application for condonation of delay of 2068 days in filing the appeal.

All what has been urged by learned counsel for the applicant/s 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 Rs.48, 57,000/- per acre.

Notice.

On the asking of the Court, Ms.Safia Gupta, AAG Haryana, present in the Court, accepts notice on behalf of respondents No.1 and 2 and

Mr.Pritam Saini, Advocate, accepts notice on behalf of respondents No.3 and 4.

For, respondents No. 5 to 8 are alleged to be proforma, service upon them is dispensed with.

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 2068 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant/s shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM-405-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 Sohan Lal son of Sukha, who is stated to have died on 02.06.2000, 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.

CM-406-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 Smt.Latoori daughter of Sukha, who is stated to have died on 20.02.2010, 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.

CM-407-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 Smt.Sona daughter of Sukha, who is stated to have died on 21.11.1986, 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.173 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 appellant/s shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e.2068 days.

(ARUN PALLI)
JUDGE

05.04.2017
sunita

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No