

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

228

RFA No.1744 of 2017(O & M)
Date of Decision:02.08.2017

Ishwar and others

....appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Deepender Ahlawat, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM-4462-CI-2017

Application is allowed as prayed for.

CM-4464-CI-2017

This is an application for condonation of delay of 1605 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
19.05.2017, rendered by this Court in **RFA No.2042 of 2017**, titled “Jai
Singh and others vs. 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, Mr.Shivendra Swaroop, AAG
Haryana, present in the Court, accepts notice on behalf of respondents No.1

and 2 and Mr.Vikas P.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 1605 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-4463-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 Prabhu-appellant No.3, who is stated to have died on 22.08.2008, 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.

RFA No.1744 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 *Jai Singh and others'* 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.1605 days.

August 02, 2017
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(ARUN PALLI)
JUDGE

Whether speaking/reasoned	Yes/No.
Whether reportable-	Yes/No