

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

RFA No.1746 of 2017(O&M)
Date of decision: 04.08.2017

Bhag Singh

... Appellant(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. S.K. Bawa, Advocate
for the appellant(s).

ARUN PALLI J. (ORAL)

CM-4466-CI-2017

This is an application for condonation of delay of 1524 days in filing the appeal.

All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgment dated 23.09.2014, rendered by this Court in **RFA No.2174 of 2012**, titled "Smt. Savitri Devi versus The Land Acquisition Collector, Gurgaon 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, Ms. Safia Gupta, AAG Haryana, present in the Court, accepts notice on behalf of respondents No.1 and 2 and Mr.Pritam Singh Saini, 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 1524 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

RFA No.1746 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 Savitri Devi's case (Supra), the present appeal is disposed of in terms of the said decision. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e.1524 days.

August 04, 2017
sanjiv

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO