

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

107/2

RFA No.1817 of 2017(O&M)
Date of decision: 01.05.2017

Joginder Bedi through her General Power of Attorney Brig. Rana Partap Singh Mahal

... Appellant

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Ashok Kumar Khubbar, Advocate for the appellant.

ARUN PALLI J. (Oral)

CM-4696-CI-2017

This is an application for condonation of delay of 1261 days in filing the accompanying 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 19.01.2017, rendered by this court in RFA No.3894 of 2010 [**Sardool Singh and others v. State of Haryana and others**] and other connected cases, vide which in the appeals arising out of the same acquisition, this court while placing reliance upon another decision dated 05.05.2016, rendered in RFA No.3356 of 2010 [**State of Haryana and another v. Santokh Singh and others**] had enhanced the compensation awarded to the landowners.

Notice.

Mr. Shivendra Swaroop, AAG, Haryana, 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 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. LR.s. v. Haryana State and others, 2015 (2) RCR (Civil) 507, the delay of 1261 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in filing the appeal the applicant shall not be entitled to any interest on the enhanced compensation.

CM stands disposed of.

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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 Sardool Singh's case (supra), the present appeal is disposed of in the same terms. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 1261 days.

May 1, 2017

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(Arun Palli)
Judge

Whether speaking / reasoned: YES/NO

Whether Reportable: YES/NO