

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

RFA No.1905 of 2017(O&M)
Date of decision: 04.05.2017

Hazara Singh and another

... Appellants

Versus

Union of India and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. PC Dhiman, Advocate for the appellants.

ARUN PALLI J. (Oral)

CM-4679-CI-2017

This is an application seeking condonation of delay of 6888 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 27.05.1999, rendered by this court in RFA No.2879 of 1998 [**Surinder Singh and another v. Union Territory, Chandigarh**] vide which this Court had enhanced the compensation awarded to the claimant/land owners.

Notice qua respondent No.1 only.

Mr. RS Malik, Advocate, present in court, accepts notice on behalf of respondent No.1.

For respondents No.2 to 6 are alleged to be the proforma party, their service is dispensed with.

The factual position, as set out above, is not disputed by learned counsel for respondent No.1.

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. LRs. v. Haryana State and others, 2015

(2) RCR (Civil) 507, the delay of 6888 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in filing the appeal the applicants 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 Surinder Singh's case (supra), the present appeal is disposed of in the same terms. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 6888 days.

May 4, 2017
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO