

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

RFA No.1911 of 2017(O&M)
Date of decision: 04.05.2017

Kanthu (deceased) through LR's and others

... Appellants

Versus

Union of India and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Rajan Bhargava, Advocate for
Mr. Vishal Aggarwal, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-4811-CI-2017

For the reasons set out in the application, the delay of 67 days in re-filing the accompanying appeal is condoned.

CM stands disposed of.

CM-4813-CI-2017

This is an application seeking condonation of delay of 3310 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 17.02.2016, rendered by this court in RFA No.2902 of 1999 [**Union of India and another v. Major Pritam Singh and another**] and other connected cases, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation uniformly to ₹ 2300/- per marla.

Notice to contesting respondents only.

Mr. RS Malik, Advocate, present in court, accepts notice on behalf of the contesting respondents.

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 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 3310 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.

CM-4814-CI-2017

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed subject to all just exceptions. Consequently, the LRs of late Kanthu s/o Kirpa (appellant No.1), as depicted in para 2 of the application, are brought on record for the purpose of pursuing the present appeal only.

CM-4815-CI-2017

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed subject to all just exceptions. Consequently, the LRs of late Vidya d/o Samitran (appellant No.20), as depicted in para 2 of the application, are brought on record for the purpose of pursuing the present appeal only.

CM-4816-CI-2017

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed subject to all just exceptions. Consequently, the LRs of late Masan wd/o Phangu; late Satya Devi d/o Phangu; late Amar Singh s/o Phango and Vakil Singh s/o Phango (appellants No.8 & 15 to 17), as depicted in paras 2 to 5 of the application respectively, are brought on record for the purpose of pursuing the present appeal only.

CM-4817-CI-2017

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed subject to all just exceptions. Consequently, the LRs of late Roda s/o Bhagtu and Mayo d/o Bhagtu (appellants No.19 & 21), as depicted in paras 2 & 3 of the application

respectively, are brought on record for the purpose of pursuing the present appeal only.

CM-4818-CI-2017

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed subject to all just exceptions. Consequently, the LRs of late Kehar Singh s/o Chand and Munnu Ram s/o Hariya (appellants No.28 & 31), as depicted in paras 2 & 3 of the application respectively, are brought on record for the purpose of pursuing the present appeal only.

CM-4812-CI-2017

RFA-1911-2017

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 Major Pritam 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. 3310 days.

May 4, 2017
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO