

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

RFA No.1919 of 2017(O&M)
Date of decision: 05.05.2017

Bhule Ram

... Appellant

Versus

Land Acquisition Collector and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Kul Bhushan Sharma, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM-4842-CI-2017

This is an application seeking condonation of delay of 3250 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 10.12.2015, rendered by this court in RFA No.2392 of 1997 [**Mukhtiar Singh and others v. State of Haryana**], vide which this Court had enhanced the compensation awarded to the claimant/land owners.

Notice qua respondent No.1 only.

For respondent No.2 is alleged to be a proforma party, his service is dispensed with.

Mr. Shivendra Swaroop, AAG, Haryana, present in court, accepts notice on behalf of respondent No.1.

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. LRs. v. Haryana State and others, 2015

(2) RCR (Civil) 507, the delay of 3250 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.

**CM-4843-CI-2017; and
RFA-1919-2017**

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 Mukhtiar 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. 3250 days.

May 5, 2017
Rajan

**(Arun Palli)
Judge**

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO