

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

RFA No.1965 of 2017(O&M)

Date of decision: 11.05.2017

Raj Kishan (deceased) through his LRs

... Appellant

Versus

Land Acquisition Collector and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI**

Present: Mr. RS Budhwar, Advocate for the appellant.

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**ARUN PALLI, J. (Oral)**

**CM-5034-CI-2017**

This is an application seeking condonation of delay of 838 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 29.07.2015, rendered by this court in RFA No.7214 of 2012 [**Janardhan v. State of Haryana and another**] and other connected matters, vide which in the appeals arising out of the same acquisition, preferred by the landowners, this court had enhanced the compensation awarded to the claimant-landowners to ₹ 5,30,000/- per acre.

Notice.

Ms. Safia Gupta, AAG, Haryana, 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. LRs. v. Haryana State and others, 2015 (2) RCR (Civil) 507, the delay of 838 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-5035-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 Raj Kishan s/o Mukh Raj (sole appellant), as depicted in para 3 of the application, are brought on record for the purpose of pursuing the present appeal only.

**CM-5033-CI-2017; and  
RFA-1965-2017**

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 Janardharn's case (supra), the present appeal is disposed of in the same terms. However, the appellant shall not be entitled to interest for the period of delay in filing the appeal i.e. 838 days.

May 11, 2017  
Rajan

**( Arun Palli )**  
**Judge**

Whether speaking / reasoned:  
Whether Reportable:

YES/NO  
YES/NO