

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

RFA No.1969 of 2017(O&M)

Date of decision: 11.05.2017

Amar Singh and others

... Appellants

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Navneet Singh, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-5072-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 Zile Singh s/o Phool Singh (appellant No.9), as depicted in para 2 of the application, are brought on record for the purpose of pursuing the present appeal only.

CM-5073-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 Chandan Singh s/o Phool Singh (appellant No.10), as depicted in para 2 of the application, are brought on record for the purpose of pursuing the present appeal only.

CM-5074-CI-2017

This is an application seeking condonation of delay of 3300 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 03.11.2015, rendered by this court in RFA No.4101 of 2008 [**HSIDC (now Haryana State Industrial & Infrastructure Development Corporation)**]

v. Rajesh Kumar and others] 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.

Notice.

Ms. Safia Gupta, AAG, Haryana, and Mr. Pritam S. Saini, Advocate, accept notice on behalf of respondents No.1 & 2, and respondent No.3, respectively.

For, respondent No.4 is stated to be a proforma party, his service is dispensed with.

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 3300 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-5075-CI-2017; and
RFA-1969-2017**

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 Rajesh Kumar's case (supra), the present appeal is disposed of in the same terms. However, the appellants shall not be entitled to interest for the period of delay in filing the appeal i.e. 3300 days.

May 11, 2017
Rajan

**(Arun Palli)
Judge**

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO