

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

**RFA No.2004 of 2017 (O&M)
Date of Decision : 10.07.2017.**

Santosh and others

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Surender Saini, Advocate for the appellants.

Ms. Safia Gupta, AAG, Haryana
for respondents No.1 and 2.

Mr. Pritam Singh Saini, Advocate for respondent No.3.

ARUN PALLI, J. (Oral)

CM-5201-CI-2017

This is an application for condonation of delay of 990 days in filing the accompanying appeal.

Despite opportunity, no reply has been filed thereto.

All what has been urged by the learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 18.02.2016, rendered by this court in RFA No.6809 of 2014 (Raghubir and others Vs. State of Haryana and others) and other connected matters, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation to ₹59,88,657/- per acre.

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 records.

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, delay of 990 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-5200-CI-2017 in/and RFA No.2004 of 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 Raghbir's case (*supra*), the present appeal is disposed of in terms of the said decision. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 990 days.

10.07.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No