

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

**RFA No.2054 of 2017 (O&M)
Date of Decision : 08.09.2017.**

Kushal Singh and others

.....Appellants

Versus

Punjab State through Collector, Gurdaspur and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. R.S.Manhas, Advocate for the appellants.

Ms. Rukhsaar Sandhu, AAG, Punjab.

ARUN PALLI, J. (Oral)

CM-5454-CI-2017

This is an application for condonation of delay of 6726 days in filing the accompanying appeal.

Notice in the application was issued to the non-applicant/respondents. Despite opportunity, no reply has been filed thereto.

Learned counsel for the applicants concedes that the explanation rendered in the application hardly constitute any sufficient cause, however, it is urged that the matter in issue is squarely covered by the judgment, dated 26.08.2015, rendered by this court in RFA No.226 of 1999 (The Punjab State and others Vs. Durgi Devi and others), and other connected matters, vide which, in the appeals arising out of the same acquisition, this Court while placing reliance upon another decision dated 16.03.2009, rendered by this Court in RFA No.4525 of 2001 (Thuru Ram Vs. State of Punjab and others) had enhanced the compensation awarded to the claimants/landowners.

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 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 6726 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-5453-CI-2017 in/and RFA No.2054 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 *Durgi Devi's case* (supra), the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 6726 days.

08.09.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No