

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

RFA No.2076 of 2017(O&M)
Date of decision: 24.05.2017

Murti Devi Single (deceased) through LRs and another

... Appellants

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Arvind Rajotia, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-5562-CI-2017

This is an application seeking condonation of delay of 2727 days 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 05.08.2015, rendered by this court in RFA No.5605 of 2009 [**State of Haryana v. Gurdeep Singh and another**] and other connected cases, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the landowners to ₹ 879/- per sq. yard.

Notice.

Ms. Safia Gupta, AAG, Haryana accepts notice on behalf of 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. LR.s. v. Haryana State and others, 2015

(2) RCR (Civil) 507, the delay of 2727 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-5563-CI-2017

Allowed as prayed for.

CM-5565-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 Murti Devi Single (appellant No.1), as depicted in para 2 of the application, are brought on record for the purpose of pursuing the present appeal only.

**CM-5564-CI-2017; and
RFA-2076-2017**

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 Gurdeep Singh's case (supra), the present appeal is disposed of in the same terms. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 2727 days.

May 24, 2017
Rajan

**(Arun Palli)
Judge**

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO