

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

RFA No.2117 of 2017(O&M)
Date of decision: 25.05.2017

Sunder Kaur (deceased) through LR's and others

... Appellant(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Ashok Kumar Khubbar, Advocate for the appellant(s).

ARUN PALLI, J. (Oral)

CM-5672-CI-2017

Allowed, as prayed for.

CM-5673-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. Accordingly, legal representatives of late Sunder Kaur, who is stated to have passed away on 25.01.2009, as depicted in Para No.2 of the application, are brought on record for the purpose of pursuing the present appeal only.

CM-5675-CI-2017

This is an application seeking condonation of delay of 1282 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 19.01.2017, rendered by this court in RFA No.3894 of 2010 [**Sardool Singh and others v. State of Haryana and others**] and other connected cases, vide which in the appeals arising out of the same acquisition, this court while placing reliance upon another decision dated 05.05.2016, rendered in RFA No.3356 of 2010 [**State of Haryana and another v. Santokh Singh and others**] had enhanced the compensation awarded to the landowners.

Notice.

Ms. Safia Gupta, AAG, Haryana, present in court, 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 1282 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-5674-CI-2017; and
RFA-2117-2017**

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 Sardool 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. 1282 days.

**(Arun Palli)
Judge**

May 25, 2017
Rajan/sonia arora

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO