

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

RFA No.2144 of 2017(O&M)
Date of decision: 26.05.2017

Naresh Kumar and another

... Appellants

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Aman Pal, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-5749-CI-2017

Allowed as prayed for.

CM-5751-CI-2017

For the reasons set out in the application, the delay of 273 days in re-filing the accompanying appeal is condoned.

CM stands disposed of.

CM-5752-CI-2017

This is an application seeking condonation of delay of 2202 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 05.05.2016, rendered by this court in RFA No.3356 of 2010 [**State of Haryana and another v. Santokh Singh and others**] vide which in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the claimant/land owners uniformly to ₹ 2887/- per sq. meter.

Notice.

Mr. Shivendra Swaroop, 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 2202 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-5750-CI-2017; and
RFA-2144-2017**

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 Santokh 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. 2202 days.

May 26, 2017
Rajan

**(Arun Palli)
Judge**

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO