

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA-2167-2017 (O&M)
Date of Decision: May 30, 2017

Jasbir Singh and another

...Appellants

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Ashok Kumar Khubbar, Advocate,
for the appellants.

ARUN PALLI, J. (ORAL)

CM-5814-CI-2017:

This is an application for condonation of delay of 1288 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicant/appellants is that the matter in issue is squarely covered by the order and judgment, dated 19.01.2017, rendered by this Court in **RFA No. 3894 of 2010, titled "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, titled "State of Haryana and another v. Santokh Singh and others"**, had enhanced the compensation awarded to the landowners.

Notice.

Ms. Safia Gupta, Assistant Advocate General, Haryana, present in the 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 records.

In the wake of the decision of Hon'ble the Supreme Court in **Imrat Lal and others v. Land Acquisition Collector and others, 2015 (2) R.C.R. (Civil) 437** and **Dhiraj Singh (D) Tr. LRs v. Haryana State and others, 2015 (2) R.C.R. (Civil) 507**, delay of 1288 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant/appellants shall not be entitled to any interest on the enhanced compensation.

Civil miscellaneous application stands disposed of.

CM-5813-CI-2017 and RFA-2167-2017:

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 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. 1288 days.

(ARUN PALLI)
JUDGE

May 30, 2017
Pkapoor

Whether Speaking/Reasoned:
Whether Reportable:

YES / NO
YES / NO