

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

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RFA No.2226 of 2017(O & M)

Date of Decision:31.05.2017

Basau Chanda @ Ram Narian

....appellant

Versus

State of Haryana

.....respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Ashok K.Sharma (Bhana), Advocate
for the appellant

ARUN PALLI, J. (ORAL):

CM No.5945-CI of 2017

Application is allowed as prayed for.

CM No.5946-CI of 2017

This is an application for condonation of delay of 1885 days in filing the appeal.

All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgement dated 09.02.2016, rendered by this Court in **RFA No.1526 of 2012**, titled “Dalip Singh and another versus State of Haryana”, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the landowners.

Notice.

On the asking of the Court, Ms.Safia Gupta, AAG Haryana, present in the Court, accepts notice on behalf of the respondent.

The factual position as set out above, is not disputed by learned counsel for the respondent.

I have heard learned counsel for the parties and perused the

record.

In the wake of the decision 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 1885 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM No.5944-CI of 2017 and RFA No.2226 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 Dalip Singh's case (Supra), the present appeal is disposed of in terms of the said decision. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e.1885 days.

May 31, 2017

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**(ARUN PALLI)
JUDGE**

Whether speaking/reasoned

Yes/No.

Whether reportable-

Yes/No