

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA-2256-2017 (O&M)
Date of Decision: June 02, 2017

Smt. Dhan Kaur and others

...Appellants

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Kamal Mor, Advocate,
for the appellants.

ARUN PALLI, J. (ORAL)

CM-6047-CI-2017:

This is an application for condonation of delay of 1068 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 18.02.2016, rendered by this Court in **RFA No. 6809 of 2014, titled "Raghubir 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 had enhanced the compensation awarded to the landowners.

Notice in the application.

Ms. Safia Gupta, AAG, Haryana, present in the Court, accepts notice on behalf of the respondent Nos. 1 and 2 and Mr. Pritam S. Saini, Advocate, accepts notice on behalf of respondent No. 3.

The factual position as set out above, is not disputed by learned State counsel.

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 1068 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-6048-CI-2017:

Allowed as prayed for.

CM-6046-CI-2017 and RFA-2256-2017:

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 Raghbir'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. 1068 days.

(ARUN PALLI)
JUDGE

June 02, 2017
Pkapoor

Whether Speaking/Reasoned:	YES / NO
Whether Reportable:	YES / NO