

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

RFA No.2304 of 2017(O&M)
Date of decision: 03.10.2017

Prakashwati

... Appellant

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Nihul Pratap Singh, Advocate for
Mr. Deepender Singh, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM-6112-CI-2017

This is an application for condonation of delay of 1141 days in filing the accompanying appeal.

At the outset, learned counsel for the applicant concedes that the explanation rendered in the application hardly constitute any sufficient cause. However, it is urged that the matter in issue is squarely covered by the judgment, dated 03.09.2014, rendered by this court in RFA No.2075 of 2012 [**Sohan Lal and another v. The State of Haryana and others**] and other connected matters, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the claimant-land owners.

Notice.

Mr. Shivendra Swaroop, AAG, Haryana and Mr. Pritam Singh Saini, Advocate accept notice on behalf of respondents No.1 & 2 and respondent No.3, respectively.

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

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 1141 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in filing the appeal the applicant shall not be entitled to any interest on the enhanced compensation.

CM stands disposed of.

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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 Sohan Lal's case (supra), the present appeal too is disposed of in the same terms. However, the appellant shall not be entitled to interest for the period of delay in filing the appeal i.e. 1141 days.

October 3, 2017
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO