

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

RFA No.2343 of 2017(O&M)
Date of decision: 03.07.2017

Nav Rattan Singh

... Appellant

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Rajesh Lamba, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM-6151-CI-2017

This is an application seeking condonaton of delay of 3039 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgment, dated 12.02.2014, rendered by this court in RFA No.718 of 2004 [**Hari Singh and another v. State of Haryana 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.

Notice.

Ms. Safia Gupta, 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 3039 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.

**CM-6150-CI-2017; and
RFA-2343-2017**

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 Hari Singh's case (supra), the present appeal is disposed of in the same terms. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 3039 days.

**(Arun Palli)
Judge**

July 3, 2017
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO