

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

RFA No.2376 of 2017(O&M)
Date of decision: 09.10.2017

Usha Sharma

... Appellant

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sanjay Mittal, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM-6192-CI-2017

Allowed as prayed for.

CM-6193-CI-2017

This is an application seeking condonation of delay of 1332 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 29.01.2016, rendered by this court in RFA No.3341 of 2011 [**Lala Ram v. 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-landowners. Rather, the appeals preferred by both the parties against the said decision have since been dismissed by the Supreme Court vide order and judgment dated 03.10.2016, rendered in Special Leave to Appeal (C) Nos.18231 to 18323 of 2016.

Notice.

Mr. Shivendra Swaroop, 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 1332 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 Lala Ram's case (supra), the present appeal 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. 1332 days.

October 9, 2017
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:	YES
Whether Reportable:	NO