

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

RFA No.2466 of 2017(O&M)
Date of decision: 29.09.2017

Sumeri

... Appellant

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sushil K. Sharma, Advocate for
Mr. Sandeep Sharma, Advocate for the appellant.
Ms. Safia Gupta, AAG, Haryana.

ARUN PALLI J. (Oral)

CM-6260-CI-2017

This is an application seeking condonation of delay of 1100 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 an order and judgment, dated 27.02.2014, rendered by the Supreme Court in Civil Appeal No.1990 of 2008 titled **Tule Ram (dead) Thr. LRs & Anr. v. State of Haryana** (Annexure P1), vide which in the appeals arising out of the same acquisition, the compensation awarded to the claimant-land owners was enhanced to ₹ 45/- per sq. yard.

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 1100 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.

RFA-2466-2017

For, the learned counsel for the parties are *ad idem* that the matter in issue is squarely covered by the decision rendered by the Supreme Court in Tule Ram'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. 1100 days.

September 29, 2017
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO