

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

RFA No.25 of 2017(O&M)
Date of decision: 11.01.2017

Rattan Singh and others

... Appellants

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Shoaib Khan, Advocate for the appellants.

ARUN PALLI J. (Oral)

CM-58-CI-2017

This is an application for condonation of delay of 2048 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 08.04.2016, rendered by this court in RFA No.1956 of 2010 [**State of Haryana through Land Acquisition Collector, Urban Estate, Panchkula and another v. Hans Raj and others**], vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the landowners to ₹ 380/- per sq. yard.

Notice.

Mr. Shivendra Swaroop, AAG, Haryana, present in court, accepts notice on behalf of respondents No.1 to 3.

For, respondent No.4 is alleged to be proforma party, his service is dispensed with.

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, delay of 2048 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in filing the appeal the applicants shall not be entitled to any interest on the enhanced compensation.

CM stands disposed of.

CM-59-CI-2017

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed subject to all just exceptions. Consequently, leave is granted to the LRs of late Mam Raj s/o Sh. Hazura, who is stated to have passed away during the pendency of reference on 02.02.2002, for the purpose of pursuing the present appeal only.

CM-60-CI-2017

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed subject to all just exceptions. Consequently, the applicants are impleaded as LRs of late Lakhbir Singh s/o Gurbachan Singh, who is stated to have passed away on 01.08.2011, for the purpose of pursuing the present appeal only.

RFA-25-2017

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 Hans Raj's case (supra), the present appeal is disposed of in the same terms. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 2048 days.

January 11, 2017
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO