

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

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RFA-2746-2017(O & M)

Date of Decision:22.09.2017

Ishwar Singh

....appellant

Versus

State of Haryana and another

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.M.S.Rana, Advocate
for the appellant

ARUN PALLI, J. (ORAL):

CM-6530-CI-2017

This is an application for condonation of delay of 2208 days in filing the appeal.

Learned counsel for the applicant/appellant 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 judgement dated 01.09.2014, rendered by this Court in **RFA No.2250 of 2011**, titled “Risal Singh versus State of Haryana and another”, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the landowners.

Notice.

On the asking of the Court, Ms.Safia Gupta, AAG Haryana, present in the Court, accepts notice on behalf of the respondents. Copy furnished.

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 decision 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 2208 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

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For, learned counsel for the parties are ad idem that the matter in issue is squarely covered by the decision rendered by this court in *Risal Singh's case (Supra)*, the present appeal is disposed of in terms of the said decision. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 2208 days.

September 22, 2017
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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No