

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

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RFA No.2754 of 2017(O & M)

Date of Decision:26.10.2017

Nanha (deceased) th.LRs. and others

....appellants

Versus

The Land Acquisition Collector, Ambala and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.R.S.Rana, Advocate for the appellants

ARUN PALLI, J. (ORAL):

CM-6542-CI-2017

Application is allowed as prayed for.

CM-6543-CI-2017

For the reasons set out in the application, that is duly supported by an affidavit, same is allowed, subject to all just exceptions. Consequently, legal representatives of deceased Nanha and Teeka-appellants No.1 and 2, as depicted in the application, are brought on record, for the purpose of pursuing the appeal only.

CM stands disposed of.

CM-6541-CI-2017

This is an application seeking condonation of delay of 1580 days in filing the accompanying appeal.

Learned counsel for the appellants, concedes, at the outset, 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/judgement dated 29.07.2015 rendered by this Court in RFA No.7214 of 2012 titled “Janardhan vs. 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 claimant-landowners to ₹5,30,000/- per acre.

Notice.

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

The factual position as set out above is not disputed by the 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 1580 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

RFA No.2754 of 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 Janardhan's case (Supra), the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e.1580 days.

October 26, 2017

(ARUN PALLI)
JUDGE