

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

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RFA No.2838 of 2017(O & M)

Date of Decision:03.11.2017

Kaushalya Devi

....appellant

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Ravindra Jain, Advocate
for the appellant

ARUN PALLI, J. (ORAL):

CM-6647-CI-2017

This is an application seeking condonation of delay of 77 days in re-filing the accompanying appeal.

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Delay of 77 days in re-filing the appeal is condoned.

CM stands disposed of.

CM-6648-CI-2017

This is an application for condonation of delay of 929 days in filing the appeal.

Learned counsel for the appellant concedes, at the outset, that the explanation rendered in the application, hardly constitute any sufficient cause. He further submits that the matter in issue is squarely covered by the judgement dated 24.12.2015, rendered by this Court in **RFA No.3285 of 2014**, titled “Megh Raj @ Sahi Ram versus State of Haryana and others”, and other connected cases, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the

landowners to ₹ 2300/- per sq.meter.

Notice.

On the asking of the Court, Mr.Shivendra Swaroop, AAG Haryana, present in the Court, accepts notice on behalf of the respondents.

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 929 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.

RFA No.2838 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 *Megh Raj @ Sahi Ram'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.929 days.

November 03, 2017

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable-

Yes/No