

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

RFA No.2987 of 2017(O&M)
Date of decision: 07.07.2017

Jee Sukh (deceased) through his LRs

... Appellant

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Rajiv Sharma, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM-6950-CI-2017

Allowed as prayed for.

CM-6951-CI-2017

For the reasons set out in the application, the delay of 58 days in re-filing the accompanying appeal is condoned.

CM stands disposed of.

CM-6952-CI-2017

This is an application seeking condonation of delay of 6824 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgment, dated 16.08.1999, rendered by this Court in RFA No.3502 of 1998 [**Ved Parkash and others v. 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/land owners.

Notice.

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

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 6824 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.

CM-6953-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 LRs of late Jee Sukh (sole appellant), as depicted in para 1 of the application, are brought on record for the purpose of pursuing the present appeal only. However, it is made clear that this order shall have no bearing upon any proceedings or dispute pending in any court qua the Will, dated 27.03.1998.

**CM-6949-CI-2017; and
RFA-2987-2017**

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 Ved Parkash'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. 6824 days.

**(Arun Palli)
Judge**

July 7, 2017
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO