

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

RFA No.3058 of 2017(O&M)
Date of decision: 17.07.2017

Satbir and others

... Appellants

Versus

Land Acquisition Collector-cum-District Revenue Officer, Rewari and
others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Abhishek Yadav, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-7172-CI-2017

For the reasons set out in the application, the delay of 191 days in re-filing the accompanying appeal is condoned.

CM stands disposed of.

CM-7173-CI-2017

This is an application seeking condonation of delay of 1463 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 12.05.2016, rendered by this court in RFA No.1559 of 2017 [**Executive Engineer/Construction, Northern Railway, Rohtak v. Abhey Singh 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 claimant-landowners.

Notice.

Mr. Shivendra Swaroop, AAG, Haryana and Mr. Karminder Singh, Advocate accept notice on behalf of respondents No.1 & 2 and respondent No.3, respectively.

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 1463 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-7174-CI-2017

Allowed as prayed for.

**CM-7175-CI-2017; and
RFA-3058-2017**

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 Abhey Singh'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. 1463 days.

July 17, 2017
Rajan

**(Arun Palli)
Judge**

Whether speaking / reasoned:
Whether Reportable:

YES
NO