

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

RFA No.3071 of 2017(O&M)
Date of decision: 14.07.2017

Nemi Chand and others

... Appellants

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sunil Dhanda, Advocate for
Mr. Rajesh Lamba, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-7217-CI-2017

Allowed as prayed for.

CM-7218-CI-2017

This is an application seeking condonation of delay of 1461 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 17.05.2016, rendered by this court in RFA No.3158 of 2013 [**State of Haryana and another v. Rohtas 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 to ₹ 1,81,00,000/- per acre.

Notice qua the contesting respondents only.

Mr. Shivendra Swaroop, AAG, Haryana, present in Court, accepts notice on behalf of the contesting 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 1461 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-7219-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 Smt. Nathey (appellant No.4), as depicted in para 2 of the application, are brought on record for the purpose of pursuing the present appeal only.

CM-7220-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 Mahender Nath (appellant No.3), as depicted in para 2 of the application, are brought on record for the purpose of pursuing the present appeal only.

**CM-7216-CI-2017; and
RFA-3071-2017**

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 Rohtas and others' 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. 1461 days.

July 14, 2017
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO