

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

RFA No.3272 of 2017(O&M)
Date of decision: 24.07.2017

Hari Singh (deceased) through LRs and another

... Appellants

Versus

Haryana State and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Naveen Dahiya, Advocate for
Mr. Shalender Mohan, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-7702-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 applicants are impleaded as the legal representatives of deceased appellant, namely, Tek Ram, for the purpose of pursuing the present appeal only.

CM-7704-CI-2017

This is an application seeking condonation of delay of 3278 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 26.04.2010, rendered by this court in RFA No.1505 of 2003 [**Zile Singh v. 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 claimant-land owners.

Notice.

Mr. Shivendra Swaroop, AAG, Haryana, present in 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 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 3278 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-7703-CI-2017; and
RFA-3272-2017**

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 Zile 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. 3278 days.

**(Arun Palli)
Judge**

July 24, 2017
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO