

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

RFA No.3498 of 2017(O&M)
Date of decision: 09.08.2017

Satishwar Singh and another

... Appellants

Versus

Union Territory, Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. PC Dhiman, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-8189-CI-2017

This is an application seeking condonation of delay of 2216 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 22.09.2015, rendered by this court in RFA No.2870 of 2009 [**Gurdev Singh and others v. Union Territory, Chandigarh**] 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. Tarun Walia, Advocate for Mr. Suvir Sehgal, Senior Standing Counsel, UT, present in court, accepts notice on behalf of the respondent.

The factual position, as set out above, is not disputed by learned counsel for the respondent.

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 2216 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.

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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 Gurdev 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. 2216 days.

(Arun Palli)
Judge

August 9, 2017
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES
NO