

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

**RFA No.3534 of 2017 (O&M)
Date of Decision : 11.08.2017.**

Nepal Singh and others

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Bikram Chaudhary, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM No.8300-CI-2017

This is an application for condonation of delay of 1434 days in filing the accompanying appeal. Learned counsel for the applicants fairly submits, at the outset, that the explanation rendered in the application hardly constitute any sufficient cause. However, all what he has urged is that the matter in issue is squarely covered by the judgment, dated 16.09.2015, rendered by this Court in RFA No.7108 of 2012 (Rampal and others Vs. Land Acquisition Collector and another), vide which, the compensation awarded to the landowners was enhanced by this Court.

Notice in the application.

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 records.

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, delay of 1434 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 No.8301-CI of 2017

For the reasons set out in the application, the delay of 64 days that has occurred in re-filing the accompanying appeal is condoned.

C.M. disposed of.

CM No.8302-CI of 2017 in/and RFA No.3534 of 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 Rampal's case (supra), the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 1434 days.

11.08.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No