

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RFA No.3535 of 2017 (O&M)
Date of Decision : 11.08.2017.

Gurdeep Singh

.....Appellant

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Navmohit Singh, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM No.8306-CI-2017

This is an application for condonation of delay of 650 days in filing the accompanying appeal. Learned counsel for the applicant 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 02.03.2017, rendered by this Court in RFA No.6232 of 2015 (Diljit Singh and others Vs. State of Haryana through Secretary, Urban Estate, Chandigarh and others), and other connected matters, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the landowners.

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. LR. v. Haryana State and others*, 2015 (2) RCR (Civil) 507, delay of 650 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in filing the appeal the applicant shall not be entitled to any interest on the enhanced compensation.

CM stands disposed of.

CM No.8307-CI of 2017

Allowed as prayed for.

CM No.8305-CI of 2017 in/and RFA No.3535 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 *Diljit Singh's case (supra)*, the present appeal is disposed of, in terms of the said decision. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 650 days.

11.08.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No