

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

RFA No.3547 of 2017(O&M)
Date of decision: 16.08.2017

Sadhu Ram (deceased) through LRs and others

... Appellants

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Manjeet Singh, Advocate for
Mr. Jasbir Mor, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-8335-CI-2017

Allowed as prayed for.

CM-8336-CI-2017

This is an application seeking condonation of delay of 1621 days in filing the accompanying appeal.

Learned counsel for the applicants concedes at the outset that the explanation rendered in the application hardly constitute any sufficient cause. However, it is urged that the matter in issue is squarely covered by the judgment, dated 26.02.2016, rendered by this court in RFA No.2373 of 2013 [**Lakhmi v. State of Haryana and another**] 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 respondent.

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 1621 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-8337-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 Sadhu Ram s/o Musadi Lal, late Hoshier Singh s/o Masudi Ram and late Ajmer Singh s/o Khetu alias Kalam Singh, as depicted in paras 2, 3 & 4, respectively, are brought on record for the purpose of pursuing the present appeal only.

**CM-8338-CI-2017; and
RFA-3547-2017**

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 Lakhmi'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. 1621 days.

**(Arun Palli)
Judge**

August 16, 2017
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO