

RFA No. 3793 of 2017 (O&M)

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

RFA No. 3793 of 2017 (O&M)

Date of decision: 1.12.2017

Ganga Ram (Deceased) through his LRS and others

Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

Present : Mr. Chanderhas Yadav, Advocate
for the applicant-appellants.

ARUN PALLI, J. (Oral)

CM No.9185-CI-2017

This is an application for condonation of delay of 957 days in filing the accompanying appeal.

At the outset, learned counsel for the applicants concedes 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 an order and judgment dated 27.02.2016, rendered by this Court in **RFA No.7705 of 2014 (Om Parkash and others V. State of Haryana and another)**, and other connected matters, vide which, in the appeals arising out of the same acquisition, this Court had uniformly enhanced the compensation awarded to the landowners.

Notice.

On the asking of the Court, Mr Shivendra Swaroop, AAG Haryana, present in the Court, accepts notice on behalf respondents No.1

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and 2 and Mr. Karminder Singh, Advocate, on behalf of respondent No.3.

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 decision 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 957 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM No. 9186-CI-2017

Civil miscellaneous application stand disposed of.

CM No.9187-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, leave is granted to the legal representatives of deceased, Ganga Ram-appellant No.1, who is stated to have passed away on 7.10.2013, during the pendency of the Reference, to institute and maintain the accompanying appeal.

Civil miscellaneous application stand 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

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the case of **Om Parkash and others (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.957 days.

1.12.2017
AK Sharma

(ARUN PALLI)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No