

RFA No. 3902 of 2017 (O&M)

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

**RFA No. 3902 of 2017 (O&M)
Date of decision: 2.12.2017**

Raj Singh and others

Appellants

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

Present : Mr. Parshotam Lal Singla, Advocate for
Mr. Dinesh Arora, Advocate
for the applicant-appellant.

ARUN PALLI, J. (Oral)

CM No. 9406-CI-2017

Allowed as prayed for.

CM No.9407-CI-2017

This is an application seeking condonation of delay of 178 days in re-filing the accompanying appeal.

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the delay of 178 days in re-filing the accompanying appeal is condoned.

CM stands disposed of.

CM No.9408-CI-2017

This is an application for condonation of delay of 4508 days in

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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 25.2.2016, rendered by this Court in **RFA No. 1190 of 2004 (Sat Narain 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 enhanced the compensation awarded to the claimant-landowners.

Notice.

On the asking of the Court, Mr Shivendra Swaroop, AAG Haryana, present in the Court, accepts notice on behalf 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 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. LR.s. v. Haryana State and others, 2015 (2) RCR (Civil) 507**, delay of 4508 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.

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For, the learned counsel for the parties are ad idem that the

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matter in issue is squarely covered by the decision rendered by this Court in the case of **Sat Narain 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. 4508 days.

2.12.2017
AK Sharma

(ARUN PALLI)
JUDGE

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