

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA-4010-2017 (O&M)

Date of Decision: September 19, 2017

Gram Panchayat, Kassar

...Appellant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Mohit Rana, Advocate,
for Mr. Gopal Sharma, Advocate,
for the appellant.

ARUN PALLI, J. (ORAL)

CM-9661-CI-2017:

Allowed as prayed for.

CM-9662-CI-2017:

This is an application for condonation of delay of 750 days in filing the appeal.

Learned counsel for the applicant concedes that the explanation rendered in the application hardly constitutes any sufficient cause. However, it is urged that the matter in issue is squarely covered by the order and judgment dated 31.07.2017, rendered by this Court in **RFA No. 6066 of 2015, titled “Bhagwat Sarup and others v. State of Haryana and others”**, 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/landowners.

Notice.

On the asking of the Court, Ms. Safia Gupta, Assistant Advocate General, Haryana, and Mr. Pritam S. Saini, Advocate, present in the Court, accept notice on behalf of respondent Nos. 1 & 2 and respondent Nos. 3 & 4,

Respectively.

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 decision of Hon'ble the Supreme Court in Imrat Lal and others v. Land Acquisition Collector and others, 2015 (2) R.C.R. (Civil) 437 and Dhiraj Singh (D) Tr. LRs v. Haryana State and others, 2015 (2) R.C.R. (Civil) 507, delay of 750 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant/appellant shall not be entitled to interest on the enhanced compensation.

Civil miscellaneous application stands disposed of.

CM-9663-CI-2017:

Allowed as prayed for.

RFA-4010-2017:

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 **Bhagwat Sarup'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. 750 days.

A copy of this order be sent to the Reference/Executing Court.

(ARUN PALLI)
JUDGE

September 19, 2017

P Kapoor

Whether Speaking/Reasoned:

Whether Reportable:

YES / NO

YES / NO