

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

106

RFA No.420 of 2017(O & M)

Date of Decision:30.01.2017

Ram Kumar

....appellant

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.S.P.Khatri, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.1135-CI of 2017

Application is allowed as prayed for.

CM No.1134-CI of 2017

This is an application for condonation of delay of 939 days in filing the appeal.

All what has been urged by learned counsel for the applicant is that the matter in issue is squarely covered by the judgement dated 18.02.2016, rendered by this Court in **RFA No.6809 of 2014**, titled “Raghbir and others vs. State of Haryana and another”, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the landowners to ₹ 59,88,657/- per acre.

Notice to respondents No.1 to 3 only. For, respondents No.4 to 21 are alleged to be proforma party, their service is dispensed with.

On the asking of the Court, Mr.Shivendra Swaroop, AAG Haryana, present in the Court, accepts notice on behalf respondents No.1 and 2 and Mr. Pritam Saini, Advocate, accepts notice 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 939 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM No.1133-CI of 2017and RFA No.420 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 Raghbir'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.939 days.

January 30, 2017

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No