

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

RFA No.427 of 2017(O&M)
Date of decision: 31.01.2017

Bhagwana (deceased) through his LRs

... Appellants

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Vijay Singh, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-1177-CI-2017

Allowed, as prayed for.

CM-1178-CI-2017

This is an application for condonation of delay of 3310 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 14.01.2016, rendered by this court in RFA No.2158 of 2015 [**Ajit Singh and another v. State of Haryana**] and other connected matters, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the landowners to ₹ 4,38,000/- per acre.

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 3310 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-1179-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 LRs of late Bhagwana s/o Nand Ram (appellant), who is stated to have passed away during the pendency of the reference on 12.11.2004, to institute and maintain the present appeal.

CM-1176-CI-2017; and
RFA-384-2017

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 Ajit Singh's case (supra), the present appeal is disposed of in the same terms. However, the appellants shall not be entitled to interest for the period of delay in filing the appeal i.e. 3310 days.

January 31, 2017
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO