

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RFA No.4307 of 2017 (O&M)
Date of Decision : 09.10.2017.

Devender Kumar and others

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Aditya Singh Yadav, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-10401-CI-2017

This is an application for condonation of delay of 1165 days in filing the accompanying appeal.

Learned counsel for the applicants concedes, at the outset, 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 the judgment, dated 19.02.2016, rendered by this Court in RFA No.48 of 2012 (Harphool Vs. State of Haryana and others), and other connected matters, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation to Rs.4044/- per square yard.

Notice in the application.

Ms. Safia Gupta, AAG, Haryana, present in Court, accepts notice on behalf of the respondents. Copy furnished.

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 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. LR.s. v. Haryana State and others, 2015 (2) RCR (Civil) 507, delay of 1165 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-10402-CI-2017

Allowed as prayed for.

CM-10400-CI-2017 in/and RFA No.4307 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 Harphool's case (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. 1165 days.

09.10.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No