

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

RFA No.4387 of 2017(O&M)
Date of decision: 10.10.2017

Sat Narain and others

... Appellants

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 appellants.

ARUN PALLI, J. (Oral)

CM-10670-CI-2017

This is an application seeking condonation of delay of 803 days in filing the accompanying appeal.

Learned counsel for the applicants concedes, at the outset, 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 an order and judgment, dated 31.07.2017, rendered by this court in RFA No.6066 of 2015 [**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-land owners.

Notice to the contesting respondents only.

Mr. Shivendra Swaroop, AAG, Haryana and Mr. Pritam Singh Saini, Advocate, present in court, accepts notice on behalf of respondents No.1 & 2 and respondents No.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 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 803 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-10671-CI-2017

Allowed as prayed for.

CM-10672-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, the LRs of late Smt. Kamla (appellant No.3a), who died on 04.03.2015, as depicted in para 2 of the application, are brought on record for the purpose of pursuing the present appeal only.

CM-10669-CI-2017

RFA-4387-2017

For, concededly the matter in issue is squarely covered by the decision rendered by this Court in Bhagwat Sarup's case (supra), the present appeal too is disposed of in the same terms.

(Arun Palli)
Judge

October 10, 2017

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Whether speaking / reasoned: YES

Whether Reportable: NO