

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RFA-4436-2017 (O&M)
Date of Decision: October 13, 2017

Jagbir Singh and others

...Appellants

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Gopal Sharma, Advocate,
for the appellants.

Mr. Shivendra Swaroop, Assistant Advocate General, Haryana.

ARUN PALLI, J. (ORAL)

CM-10861-CI-2017:

Application is allowed as prayed for.

CM-10862-CI-2017:

This is an application for condonation of delay of 2844 days in filing the 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 the order and judgment dated 06.11.2015, rendered by this Court in **RFA No. 3787 of 2009, titled “Gaje Singh and others v. State of Haryana and another”**, and other connected matters, vide which the appeals arising out of the same acquisition were disposed of by this Court.

Notice.

Advocate General, Haryana, present in the Court, accepts notice on behalf of the respondents.

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 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 2844 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant/appellants shall not be entitled to interest on the enhanced compensation.

Civil miscellaneous application stands disposed of.

CM-10863-CI-2017:

Application is allowed as prayed for.

RFA-4436-2017:

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 **Gaje Singh'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. 2844 days.

(ARUN PALLI)
JUDGE

October 13, 2017
P Kapoor

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO