

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

106

RFA No.4440 of 2017(O & M)

Date of Decision:12.10.2017

Sube Singh and others

....appellants

Versus

State of Haryana and others

.....respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Govind Rana, Advocate for
Mr.Harkesh Manuja, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM-10879-CI-2017

This is an application for condonation of delay of 1235 days in filing the accompanying appeal.

Learned counsel for the appellants 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 order and judgment, dated 03.03.2016, rendered by this court in RFA No.4694 of 2014 [**Tara Chand 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.

On the asking of the Court, Ms.Safia Gupta, AAG Haryana, on behalf of respondents No.1 to 3 and Mr.Pritam Singh Saini, Advocate, on behalf of respondents No.4 and 5, accept notice. Copies furnished. For, respondent No.6 is alleged to be a proforma party, her service is dispensed

with.

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 1235 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicants shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

CM-10878-CI-2017 and RFA No.4440 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 Tara Chand'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.1235 days.

October 12, 2017

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No