

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

228

RFA No.474 of 2017(O & M)

Date of Decision:02.05.2017

Amar Singh and others

....appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.S.R.Hooda, Advocate for
Mr.N.S.Panwar, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.1313-CI of 2017

This is an application for condonation of delay of 19 days in re-filing the accompanying appeal.

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Delay of 19 days in re-filing the appeal is condoned.

CM stands disposed of.

CM No.1314-CI of 2017

This is an application for condonation of delay of 1099 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 judgement dated 03.11.2015, rendered by this Court in **RFA No.1172 of 2013**, titled “Satpal and others versus State of Haryana and others”, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the landowners.

Notice to respondents No.1 to 4, only. For, respondents No.5 to 25 are alleged to be proforma parties, their service is dispensed with.

On the asking of the Court, Mr.Shivendra Swaroop, AAG Haryana, present in the Court, accepts notice on behalf respondents No.1 and 2 and Mr.Pritam Saini, Advocate, accepts notice on behalf of respondent Nos.3 and 4.

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 1099 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 No.1315-CI of 2017

For the reasons set out in the application, that is duly supported by an affidavit, same is allowed, subject to all just exceptions. Consequently, legal representatives of deceased Chandan Singh-appellant No.5 and Jile Singh-appellant No.10, who are stated to have died during the pendency of the Reference, as depicted in the application, are granted leave to institute and maintain the accompanying appeal.

CM stands disposed of.

RFA No.474 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 Satpal'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.1099 days.

May 02, 2017

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**(ARUN PALLI)
JUDGE**

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No