

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

**RFA No.48 of 2017 (O&M)
Date of Decision : 20.04.2017.**

Smt. Kitabo and others.

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Harkesh Manuja, Advocate for the appellant(s).

ARUN PALLI, J. (Oral)

CM No.123-CI-2017.

Allowed as prayed for.

CM No.122-CI of 2017

This is an application for condonation of delay of 1652 days in filing the accompanying appeal. All what has been urged by the learned counsel for the applicant is that the matter in issue is squarely covered by the judgment, dated 4.2.2016, rendered by this court in RFA No.266 of 2012 (Joginder Singh Tokash Vs. State of Haryana and others), and other connected matters, vide which, the compensation awarded to the claimants/landowners was enhanced by this Court.

Notice in the application.

Ms. Safia Gupta, AAG, Haryana, present in Court, accepts notice on behalf of respondents No.1 and 2 and Mr. Yogesh Chaudhary, Advocate for respondent No.3. For, respondents No.4 to 12 are alleged to be proforma respondents, their 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 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. LRs. v. Haryana State and others*, 2015 (2) RCR (Civil) 507, delay of 1652 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in filing the appeal the applicant shall not be entitled to any interest on the enhanced compensation.

CM stands disposed of.

CM No-124-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 Kamal Singh who expired on 9.3.2013 as depicted in para 3 of the application, are brought on record for the purpose of pursuing the present appeal only.

RFA No.48 of 2017

For order, see the judgement of even date passed in **RFA No.45 of 2017** titled "**Smt. Omli D/o Ram Parsad Vs. State of Haryana and others.**"

20.04.2017

Raman

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No