

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

RFA No.4883 of 2017(O&M)
Date of decision: 10.11.2017

Rama Gupta

... Appellant

Versus

Union Territory, Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. PC Dhiman, Advocate for the appellants.

ARUN PALLI, J. (Oral)

CM-12258-CI-2017

This is an application seeking condonation of delay of 1686 days in filing the accompanying appeal.

Learned counsel for the applicant 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 judgment, dated 22.09.2015, rendered by this court in RFA No.2870 of 2009 [**Gurdev Singh and others v. Union Territory, Chandigarh**] 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 to ₹ 43,28,000/-.

Notice.

Mr. Suvir Sehgal, Senior Standing Counsel, UT with Mr. Tarun Walia, Advocate, present in court, accepts notice on behalf of the respondent.

The factual position, as set out above, is not disputed by learned counsel for the respondent.

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 1686 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.

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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 Gurdev Singh's case (supra), the present appeal is disposed of in the same terms. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 1686 days.

(Arun Palli)
Judge

November 10, 2017
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO