

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

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RFA No.588 of 2017(O & M)

Date of Decision:21.04.2017

Baisakhi Ram

....appellant

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Sandeep Panwar, Advocate
for the appellant

ARUN PALLI, J. (ORAL):

CM No.1630-CI of 2017

Application is allowed as prayed for.

CM No.1629-CI of 2017

Application is allowed as prayed for. Annexure A1 is taken on
record.

CM stands disposed of.

CM No.1628-CI of 2017

This is an application for condonation of delay of 3754 days in
filing the accompanying appeal.

All what has been urged by learned counsel for the applicant is
that the matter in issue is squarely covered by the judgement dated
01.06.2016, rendered by this Court in **RFA No.3906 of 2006**, titled “Som
Nath 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.

On the asking of the Court, Mr.Shivendra Swaroop, AAG

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

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 3754 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicant shall not be entitled to interest on the enhanced compensation.

CM stands disposed of.

RFA No.588 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 Som Nath's case (Supra), the present appeal is disposed of in terms of the said decision. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e.3754 days.

April 21, 2017

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No.

Whether reportable-

Yes/No