

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

**RFA No.598 of 2017 (O&M)
Date of Decision : 26.04.2017.**

Shiv Ram and others

.....Appellant(s)

Versus

State of Haryana and others

..... Respondent(s)

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Amit Choudhary, Advocate
for the appellant(s).

ARUN PALLI, J. (Oral)

CM-1640-CI-2017

This is an application seeking condonation of delay of 1877 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 judgment, dated 28.03.2016, rendered by this court in RFA No.2322 of 2011 [**Usha Rani 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 landowners to Rs.48,57,000/- per acre.

Notice.

Mr. Shivendra Swaroop, AAG, Haryana and Mr. Pritam Singh Saini, Advocate, accept notice on behalf of respondents No.1 & 2, and

respondents No.3 & 4, respectively.

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 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 1877 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay in filing the appeal the applicants 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 Usha Rani'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. 1877 days.

26.04.2017

dharamvir

(ARUN PALLI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No