

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RFA No.607 of 2017 (O&M)
Date of Decision : 02.05.2017.

Bhagwan

.....Appellant

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Shilak Ram Hooda, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM-1648-CI-2017

Allowed as prayed for.

CM-1649-CI-2017

For the reasons set out in the application, the delay of 14 days that has occurred in re-filing the accompanying appeal is condoned.

C.M. disposed of.

CM No.1650-CI of 2017

This is an application for condonation of delay of 713 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 18.02.2016, rendered by this court in RFA No.6809 of 2014 (Raghubir and others Vs. 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.

Notice in the application.

Mr. Shivendra Swaroop, AAG, Haryana, present in Court,

accept notice on behalf of respondents No.1 and 2 and Mr. Pritam Singh Saini, Advocate for respondent No.3.

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 713 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.

RFA No.607 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 *Ragbir'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. 713 days.

02.05.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No