

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

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RFA No.674 of 2017(O & M)

Date of Decision:08.05.2017

Bal Raj and others

....appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.S.S.Khurana, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.1780-CI of 2017

Application is allowed as prayed for.

CM No.1779-CI of 2017

This is an application for condonation of delay of 1625 days in filing the appeal.

All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by the judgement dated 13.05.2016, rendered by this Court in **RFA No.2189 of 2012**, titled “Executive Engineer/Construction, Northern Railway Rohtak versus Mamchand 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, Ms.Safia Gupta, AAG Haryana, present in the Court, accepts notice on behalf respondents No.1 and 2 and Ms.Chetna Rao, Advocate, accepts notice on behalf of 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 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 1625 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicants shall not be entitled to 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 Mamchand's case (Supra), the present appeal is disposed of in terms of the said decision. However, the appellant/s shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e.1625 days.

May 08, 2017

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**(ARUN PALLI)
JUDGE**

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No