

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

RFA No.789 of 2017(O&M)
Date of decision: 14.02.2017

Yogesh Kumar

... Appellant

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sudhir Rana, Advocate for the appellant.

ARUN PALLI, J. (Oral)

CM-2084-CI-2017

Allowed as prayed for.

CM-2085-CI-2017

This is an application seeking condonation of delay of 2068 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 judgment, dated 29.01.2016, rendered by this court in RFA No.3341 of 2011 [**Lala Ram v. State of Haryana and others**] and other connected matters, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the claimant-landowners to Rs.4044/- per sq. yard.

Notice.

Ms. Safia Gupta, AAG, Haryana, present in court, accepts notice on behalf of the respondents.

The factual position, as set out above, is not disputed by learned State counsel.

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 2068 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.

CM-2083-CI-2017; and
RFA-789-2017

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 Lala Ram's case (supra), the present appeal is disposed of in the same terms. However, the appellant shall not be entitled to interest for the period of delay in filing the appeal i.e. 2068 days.

February 14, 2017
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO