

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

103

RFA No.865 of 2017(O & M)

Date of Decision:16.02.2017

Prem Chand(deceased th.LRs)

....appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.J.C.Malik, Advocate for the appellants

ARUN PALLI, J. (ORAL):

CM No.2266-CI of 2016

This is an application for condonation of delay of 70 days in re-filing the accompanying appeal.

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Delay of 70 days in re-filing the appeal is condoned.

CM stands disposed of.

CM No.2265-CI of 2016

This is an application for condonation of delay of 5142 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 order/judgement dated 26.02.2016 rendered by this Court in **RFA No.3012 of 2003** titled “Angrejo Devi and others versus State of Haryana and others” and other connected matters, vide which, this Court had enhanced the compensation awarded to the claimants-landowners, uniformly to ₹ 5,20,000/- per acre.

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 Mr.Vaibhav Sahni, 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 5142 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.

CM No.2267-CI of 2016 and RFA No.865 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 Angrejo Devi's case (Supra), the present appeal is disposed of in terms of the said decision. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e.5142 days.

February 16, 2017
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(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No.

Whether reportable-

Yes/No