

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

**RFA No.98 of 2017 (O&M)
Date of Decision : 20.04.2017.**

Rajender (since deceased) through LR's and others

.....Appellant(s)

Versus

State of Haryana and others

..... Respondent(s)

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Harkesh Manuja, Advocate
for the appellant(s).

ARUN PALLI, J. (Oral)

CM No.269-CI-2017

Allowed as prayed for.

CM No.268-CI of 2017

This is an application for condonation of delay of 1664 days in filing the accompanying appeal. All what has been urged by the learned counsel for the applicants is that the matter in issue is squarely covered by the judgment, dated 4.2.2016, rendered by this court in RFA No.266 of 2012 (Joginder Singh Tokash Vs. State of Haryana and others), and other connected matters, vide which, the compensation awarded to the claimants/landowners was enhanced by this Court.

Notice in the application.

Ms. Safia Gupta, AAG, Haryana, present in Court, accepts notice on behalf of respondents No.1 and 2 and Mr. Yogesh Chaudhary, Advocate for respondent No.3.

For respondents No.4 to 7 are alleged to be perma respondents their service is dispensed with.

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 1664 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.

CM No.270-271-CI of 2017

For the reasons set out in the application, that is duly supported by an affidavit, same is allowed subject to all just exceptions. Consequently, legal representatives of deceased Rajender and deceased Dharambir sons of Baldev, who is stated to have expired on 01.05.2011 and 12.02.2013, during the pendency of the Reference, are granted leave to institute and maintain the accompanying appeal.

CM stands disposed of.

RFA No.98 of 2017

For order, see the judgment of even date passed in **RFA No.45 of 2017** titled "**Smt. Omli D/o Ram Parsad vs. State of Haryana and others.**"

20.04.2017

dharamvir

(ARUN PALLI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No