

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

RFA Nos. 2541 and 3112 of 2019 (O & M)

Date of decision: 12.02.2020

Mubin and others

....Appellant(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Ms. Sona Kaur, Advocate,
for Mr. Ashish Gupta, Advocate,
for the appellants.

Ms. Vibha Tewari, AAG, Haryana.

G.S.SANDHAWALIA, J. (Oral)

Filing Applications

Applications have been filed for condonation of delay of 3284 and 3115 days in filing the appeals.

Notice in the applications.

Ms. Vibha Tewari, AAG, Haryana accepts notice.

It is pointed out that the connected matters have been remanded and the interest of the State can be protected by denying the interest for 3284 and 3115 days in case the Reference Court decides in favour of the land owners.

Accordingly, the applications are allowed conditionally keeping in view the law laid down by the Apex Court in ***Imrat Lal and others vs. Land Acquisition Collector and others, 2014 (14) SCC 133*** and ***Dhiraj Singh (D) through L.Rs. and others vs. Haryana State and others, 2014 (14) SCC 127*** that the appellants shall not be entitled for the benefit of interest for 3284 and 3115 days on the enhanced compensation in case the

appeals are allowed.

Delay condoned.

Main Appeals

This order shall dispose of 2 appeals i.e. RFA Nos. 2541 and 3112 of 2019, as common questions of facts and law are involved in both the appeals. Reference is being made to ***RFA No. 2541 of 2019, Mubin and others vs. State of Haryana and others.***

Counsels are agreed that for the notification dated 29.09.2005, this Court in ***RFA No. 3552 of 2010 titled Om Parkash and others vs. State of Haryana*** decided on 31.01.2019, remanded the bunch of 82 appeals to the Reference Court. The said order also dealt with the two villages in question namely Kherli Kankar and Roopaheri and the awards dated 29.10.2010 and 15.03.2010. It is further pointed out that the matters are still pending before the Reference Court after remand.

Resultantly, the present appeals are disposed of in the same terms as in *Om Parkash's case (supra)*. It is made clear that the appellants shall not be entitled for the benefit of interest for 3284 and 3115 days on the enhanced compensation in case the appeals are allowed.

Parties shall appear before the District Judge, Mewat at Nuh on 26.02.2020. The District Judge shall assign the cases to the same Court which is already dealing with the earlier remanded cases.

12.02.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No