

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

RFA No.902 of 2019 (O&M)

Date of decision: 27.05.2020

Late Sh. Joginder Singh (deceased) through his LR ... Appellant(s)

Versus

State of Haryana and another ... Respondents

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

Present: Mr. Shoaib Khan, Advocate
Mr. M.K. Chauhan, Advocate
Mr. P.C. Dhiman, Advocate
Mr. M.L. Sharma, Advocate
Ms. Meenakshi Sharma, Advocate
Mr. Anuj Sharma, Advocate
Mr. Sandeep Gehlawat, Advocate
Mr. Vinod Kumar, Advocate
Mr. D.K. Singal, Advocate
Mr. Rajan Gupta, Advocate
Mr. P.L. Singla, Advocate
Mr. S.K. Loura, Advocate
Mr. S.K. Sharma, Advocate
Mr. Aditya Grover, Advocate
Mr. Ranjit Saini, Advocate
Ms. Kuldeep Kaur, Advocate
Mr. Adarsh Jain, Advocate
Mr. S.S. Kaliramna, Advocate
Mr. Akash Sridhar, Advocate
for Mr. Sonu Giri, Advocate and
for Mr. M.S. Kundu, Advocate, for the landowners.

Mr. Sudeep Mahajan, Addl. A.G., Haryana
Mr. Abhinash Jain, AAG, Haryana,
Ms. Vibha Tiwari, AAG, Haryana, for the State.

Mr. Pritam Singh Saini, Advocate,
for Shri Mata Mansa Devi Shrine Board.

Mr. Sunil Kumar Sharma, Sr. Panel Counsel, for Union of India.

G.S. Sandhawalia, J.

The appeal is disposed of in terms of detailed judgment of even
date passed in RFA No.1817 of 2019 titled as “**The Akash Cooperative**”

Group Housing Society Ltd.-II Vs. State of Haryana & others”.

The order dated 17.05.2019 is modified to the extent that the delay in filing the appeal was wrongly condoned for 52-57 days instead of 2039 days as the same was wrongly clubbed with another bunch of Bathinda matter, which was noticed in the order dated 05.07.2019 and which was a typographical error and the same was corrected. Delay in the present case be read as 2039 days.

Accordingly, keeping in view the judgments of the Apex Court in **Imrat Lal & others Vs. Land Acquisition Collector & others 2015 (2) RCR (Civil) 437** and **Dhiraj Singh (deceased) through LRs Vs. Haryana State & others 2015 (2) RCR (Civil) 507**, that equities could be balanced by denying the interest on the enhanced compensation for the period of delay, accordingly, delay of 2039 days in filing the appeals, is condoned. However, the appellants shall not be entitled to interest for the period of delay.

(G.S. SANDHAWALIA)
JUDGE

27.05.2020
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No