

106 9th case

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RFA-2704-2021 (O&M)

Date of Decision: 20.01.2022

Hem Chander and others

...Appellants

V/S

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the appellants.

Mr. Shivendra Swaroop, AAG, Haryana.

Mr. Pritam Singh Saini, Advocate,
for the respondent-HSIIDC.

(Presence marked through Video Conference)

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ARUN MONGA, J. (ORAL)

CM-6118-CI-2021

CM-6116-CI-2021

These applications are for condonation of delay of 81 days in filing and delay of 2203 days in re-filing the appeal.

None appears for the applicants. However, for the reasons stated in the applications, the delay of 81 days in filing the appeal and delay of 2203 days in re-filing the appeal is condoned. Since the delays are attributable solely to the appellants, they shall not be entitled to interest for the period of delay in filing and re-filing the appeal, in case, there is any enhancement of the compensation, as is claimed by them. Applications are disposed of accordingly.

CM-6117-CI-2021

Application is allowed, as prayed for, subject to all just exceptions.

Main case

On a Court query, learned State counsel as well as learned

situated to those other land owners in Regular First Appeal No.3240 of 2015, titled as “Satpal Vs. State of Haryana and Another” where the compensation has been enhanced by a Coordinate Bench of this Court vide judgment dated 02.12.2021 rendered in RFA No.3240 of 2015.

In the premise, disposed of in terms of the judgment dated 02.12.2021 rendered in ***Regular First Appeal No.3240 of 2015***, titled as ***“Satpal Vs. State of Haryana and Another”***.

However, no interest shall be payable for the period of delay in filing and refiling of the appeal. Vide separate order passed in civil miscellaneous applications of even date, it has already been made clear that the delay in filing and refiling of the appeal is since solely attributable to the appellants, they shall not be entitled to interest for the period of delay in filing/refiling of the appeal on the compensation to be awarded to them in terms of the judgment, *ibid*.

Pending applications, if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

January 20, 2022
vandana

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No