

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

**RFA No.2345 of 2017 (O&M)
Date of Decision : 25.07.2017.**

Karambir and others

.....Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Saurabh Dalal, Advocate for the appellants.
Mr. Shivendra Swaroop, AAG, Haryana
for respondents No.1 and 2.
Mr. Anand Chhibbar, Sr. Advocate with
Mr. Vaibhav Sahni, Advocate for respondent No.3.

ARUN PALLI, J. (Oral)

CM No.6155-CI of 2017

This is an application for condonation of delay of 4765 days in filing the accompanying appeal. Despite opportunity no reply has been filed thereto.

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 26.02.2016, rendered by this court in **RFA No.3012 of 2003 (Angrejo Devi and others Vs. State of Haryana and others)**, and other connected matters, vide which, in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the claimants/landowners.

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 4765 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.

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For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed, subject to all just exceptions. Accordingly, legal representatives of late Vikas-appellant No.5, who is stated to have passed away on 22.04.2013, are brought on record for the purpose of pursuing the present appeal only.

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Allowed as prayed for.

CM-6158-CI-2017 in/and RFA No.2345 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. 4765 days.

25.07.2017

Manoj Bhutani/sonia arora

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No