

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

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RFA No.589 of 2017(O & M)

Date of Decision:21.04.2017

Daya Ram and others

....appellants

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Shiv Kumar, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.1631-CI of 2017

This is an application seeking condonation of delay of 90 days in re-filing the accompanying appeal.

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Consequently, delay of 90 days in re-filing the appeal is condoned.

CM stands disposed of.

CM No.1632-CI of 2017

This is an application seeking condonation of delay of 805 days in filing the accompanying appeal.

All what has been urged by learned counsel for the applicants is that the matter in issue is squarely covered by an order/judgement dated 16.09.2015 rendered by this Court in RFA No.7108 of 2012 titled “Ram Pal and others versus Land Acquisition Collector and others”, and other connected matters, vide which this Court had enhanced the compensation awarded to the claimants-landowners.

Notice in the application.

On the asking of the Court, Mr.Shivendra Swaroop, AAG, Haryana, present in the Court, accepts notice on behalf of the respondents.

The factual position as set out above is not disputed by the learned counsel for the respondents.

I have heard learned counsel for the parties and perused the record.

In the wake of the decision 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 805 days in filing the accompanying appeal is condoned. However, to balance the equities, for the period of delay, the applicants shall not be entitled to any interest on the enhanced compensation.

CM stands disposed of.

CM No.1633-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 Sarda Ram-appellant No.2, who is stated to have died on 21.01.2014, as depicted in para No.2 of the application, are brought on record, for the purpose of pursuing the appeal only.

CM stands disposed of.

RFA No.589 of 2017

Concededly, the matter in issue is squarely covered by the decision dated 16.09.2015, rendered by this Court in the case of Ram Pal

and others, the present appeal too is also 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.805 days.

April 21, 2017
neenu

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No