

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

RFA No.1169 of 2017(O&M)
Date of decision: 06.03.2017

Nidhi Gupta and another

... Appellants

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Navneet Singh, Advocate for the appellants.

ARUN PALLI J. (Oral)

CM-2957-CI-2017

This is an application for condonation of delay of 1894 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 the judgment, dated 03.11.2015, rendered by this court in RFA No.7958 of 2011 [**Sultan Singh v. State of Haryana and others**], and other connected cases, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the land owners.

Notice.

Ms. Safia Gupta, AAG, Haryana, and Mr. Pritam Singh Saini, Advocate, accept notice on behalf of respondents No.1 & 2 and respondent No.3, respectively.

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 record.

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 1894 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.

CM-2958-CI-2017

Allowed as prayed for.

CM-2959-CI-2017; and

RFA-1169-2017

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 Sultan Singh's case (supra), the present appeal is disposed of in the same terms. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 1894 days.

March 6, 2017
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO