

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 17323 of 2017  
(Arising out of SLP (C)No.14700 of 2015)

KARAM CHAND (DEAD) BY LRS. & ANR. Appellant(s)

VERSUS

STATE OF HIMACHAL PRADESH & ANR. Respondent(s)

O R D E R

Leave granted.

We have heard learned counsel for the parties.

The appellants sought determination of compensation at par with the compensation awarded to others covered by the same notification under Section 28-A of the Land Acquisition Act, 1894. The said prayer having been rejected on the ground of delay, this appeal has been preferred.

We are of the view that even though limitation is prescribed and it is expected that the aggrieved party takes remedies within such prescribed time, the delay can be extended in appropriate cases. Subject to declining the interest for the delayed period, the compensation can be re-determined and paid to the appellants.

Accordingly, we set aside the impugned order and remand the matter to the Collector for re-determination of the compensation in above terms.

The appeal is disposed of.

.....J.  
(ADARSH KUMAR GOEL)

.....J.  
(UDAY UMESH LALIT)

New Delhi,  
October 27, 2017.

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 14700/2015

(Arising out of impugned final judgment and order dated 12-05-2014 in CMPMO No. 4251/2013 passed by the High Court Of Himachal Pradesh At Shimla)

KARAM CHAND (DEAD) By LRS. &amp; ANR.

Petitioner(s)

VERSUS

STATE OF HIMACHAL PRADESH &amp; ANR.

Respondent(s)

Date : 27-10-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Ravi Bhusan, Adv.  
Mr. Siddharth Verma, Adv.  
Mr. Abhishek Vikas, AORFor Respondent(s) Mr. D.K. Thakur, AAG  
Ms. Seema Sharma, Adv.  
Mr. Varinder Kumar Sharma, AOR

Ms. Pragati Neekhara, AOR

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

In terms of the signed order, the appeal is disposed of.

Pending applications, if any, shall also stand disposed  
of.(MAHABIR SINGH)  
COURT MASTER(PARVEEN KUMARI PASRICHA)  
COURT MASTER  
(Signed order is placed on the file)