

**State of H.P. & others vs. Tej Singh & others a/w
connected matters**

**RFA No.13 of 2018 a/w RFA Nos.201,
309/2017, RFA Nos.32 & 33 of 2018 and
CMP(M) No.1053 of 2017**

01.10.2026 Present: Mr. Baldev Singh Negi, Addl. A.G., for the appellants-State in all the appeals and for the applicants in CMP(M) No.1053 of 2017

Mr. H.S. Rana, Advocate, for the respective respondents in all the appeals, except respondents No.5(a)(i) to 5(a)(iii), 5(b), 5(c) and 10 in RFA No.3/2018 and for non-applicants No.1 in CMP(M) No.1053 of 2017.

**CMP(M) Nos.1229 & 1230 of 2026 in RFA No.13 of
2018**

The application [CMP(M) No. 1230 of 2026] has been filed for condonation of delay in filing the application [CMP(M) No. 1229 of 2026] for bringing on record the legal representatives of deceased respondent No.5(d), Smt. Jeet Kaur, who is stated to have expired on 05.05.2022. It has been contended in the application that the factum of death was not within the knowledge of the applicants and the said fact was also not disclosed by the learned counsel for the non-applicants and that the delay in filing the applications is neither intentional nor wilful, but the same has occurred under unavoidable circumstances. The details of the legal heirs have been mentioned in para 5 of the application.

Learned counsel for the non-applicants has no objection if the application is allowed.

Consequently, in view of the averments as made in the applications, which are duly supported by affidavit(s),

after condoning the delay, present applications are allowed and the legal representatives of deceased respondent No.5(d) as mentioned in para-5 of the application {CMP(M) No.1229 of 2026} are ordered to be brought on record as respondents No.5(d)(i) to 5(d)(iii), subject to all just exceptions. Abatement, if any, is ordered to be set aside.

The amended memo of parties is taken on record

The Registry is directed to carry out the necessary corrections in the memo of parties.

Accordingly, the applications stand disposed of.

CMP(M) No.1053 of 2017

This application has filed for condoning the delay of 20 days in filing the appeal under Section 54 of the Land Acquisition Act, which has been preferred against the award passed by the learned Additional District Judge, Solan, in Land Reference Petition Number 12-NL/4 of 2012. It has been contended in the application that the impugned award was passed by the learned Additional District Judge on 09.09.2016. Certified copy of the same was applied on the same date, attested on 26.11.2016 and the same was supplied by the copying agency on 29.11.2016. The District Attorney, Solan, examined the judgment and further sent the case to the Engineer-in-Chief, HPPWD, Shimla, along with the opinion vide letter dated 16.12.2016, which was received in his office on 22.12.2016. Thereafter, the Engineer-in-Chief, vide his letter dated 27.12.2016, took up the matter with the Additional Chief Secretary (PWD) to the Government of Himachal Pradesh for

obtaining opinion regarding filing of appeal. Thereafter, the matter was examined at government level in consultation with the Law Department and the file was processed through different channels and in the process, delay has occurred in filing the present appeal.

It has been contended by the learned Additional Advocate General that the delay in filing the appeal is neither intentional nor wilful, but the same has occurred under unavoidable circumstances.

In view of the averments as made in the application, especially paras 2 and 3, this Court is convinced that the applicants were prevented by sufficient reasons to file the present appeal. Therefore, the present application is allowed and the delay in filing the appeal is condoned. Application stands disposed of.

RFA No. _____ of 2026

Appeal be registered.

Admit.

Sent for the records.

List all the appeals in due course.

**(Romesh Verma)
Judge**

October 01, 2026
(vt)