

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

Date of decision:20.01.2015

Ram Saran through LRs

.....Petitioner

v.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Vikram Singh,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Claimants of compensation are in revision aggrieved by the order dated 24.12.2014 (P-5) passed by Reference Court/ Additional District Judge, Sonipat whereby application of respondent no.4-Gram Panchayat under Order 9 Rule 7 and 13 CPC has been allowed and the ex parte order dated 29.3.2014 and the judgment dated 31.3.2014 has been set aside.

It is not disputed that the land which stands acquired is owned by respondent no.4-Gram Panchayat, Village Teha, District Sonipat. Petitioner-claimants claiming themselves to be occupancy tenants in possession over 100 years filed an application under Section 18 read with Section 13 of the Land Acquisition Act,1894 for apportionment of the compensation. It is also not in dispute that the said reference was listed alongwith a bunch of similar claim petitions.

In the impugned order, learned Reference Court has acknowledged that

the Court had inadvertently committed the mistake whereby on the date of hearing on 29.3.2014 it erroneously recorded the Gram Panchayat to be proceeded as ex parte since the applicant-Gram Panchayat had an impression based on the front page of the file that it stood adjourned to 9.4.2014.

Having heard learned counsel for the petitioner and noticing the facts as recorded by the learned Reference Court, this Court finds no perversity or juridical error. Even otherwise the claim of the petitioner based on their possession and the formula for apportionment of the compensation would not be prejudiced in any manner by permitting the Gram Panchayat to join the proceedings.

In view of the above, revision petition stands dismissed.

20.01.2015
joshi

(Jaswant Singh)
Judge