

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

FAO No.790 of 2015 (O&M)

Date of decision: 06.07.2015

Himatpal Singh and others

..... Appellants

versus

National Highway Authority of India and others

..... Respondents

CORAM: Hon'ble Mr. Justice Kuldeep Singh

Present: Mr. H. K. Brinda, Advocate for the appellants

1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?

2. To be referred to the Reporters or not ?

3. Whether the judgment should be reported in the Digest?

Kuldeep Singh, J. (Oral)

CM Nos. 2125-2126-CII of 2015

These applications have been filed for condonation of 60 days delay in filing and 14 days delay in re-filing the appeal. The applications are accompanied by affidavits. For the reasons mentioned therein, the same are allowed and 60 days delay in filing and 14 days delay in re-filing the appeal stands condoned.

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Appellants had filed appeal against order dated 22.2.2014, passed by the learned Additional District Judge (Fast Track Court), Rupnagar, whereby the objections filed by the National Highway Authority of India under Section 34 of the Arbitration and Conciliation Act, 1996 for setting aside the award dated 4.4.2011 were dismissed.

The present appellants were respondents Nos.6, 7 and 8 in the said case. Present appeal has been filed against the said order, which is in fact, in favour of the present appellants. Appellants in the grounds of appeal have claimed that they are entitled to solatium and interest, however, no cross-objections were filed before the Court below. Therefore, since the order is in favour of the appellants, they have no cause of action to file the present appeal for the solatium and interest. They can avail the remedy available under the law.

Consequently, the appeal stands dismissed.

06.07.2015
gk

(Kuldip Singh)
Judge