

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.3370 of 2013 (O&M)
Date of Decision.18.08.2015

Vikram Singh and others

.....Appellants

Versus

Punjab State through District Collector, Hoshiarpur and others

.....Respondents

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

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers 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?

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K. KANNAN J. (ORAL)

1. Delay in refiling the appeal is condoned.
2. I find no scope for interference in a situation where the plaintiffs have produced nothing on record to show that the property did not belong to the Government and that it was private party. An application is sought to be filed before this Court under Order 41 Rule 27 CPC to receive additional documents to contend that the property belongs to them. I asked the counsel as to what was the justification for not filing the documents before the two Courts below. He would not have any explanation to offer. I give no benefit of indulgence to the persons who were negligent in conducting the trial before the two Courts below and give no reason as to why they did not present the documents before the two Courts below which they are now seeking to produce as additional documents through application. It is stated that the property

is now subject to land acquisition and cases are pending for fixation of compensation. They would be entitled to place such arguments relating to their title before the authorities/court where the compensation is determined in the manner it will be required to be done under the Land Acquisition Act and there will be no parallel adjudication before this Court relating to the title and impermissibility of the proceedings to be taken under the Public Premises Act by the authorities.

3. I find no substantial question of law for consideration in the second appeal. The second appeal is dismissed but with liberty as aforesaid.

(K. KANNAN)
JUDGE

August 18, 2015
Pankaj*