

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

CR-5191-2015

Date of decision : 04.10.2016

Ruby Singla @ Ruby Singh and another

... Petitioner s

Versus

State of Hayana

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Sherry K. Singla, Advocate
for the petitioners.

Mr. Pritam Saini, Advocate
for the HSIDC.

AMIT RAWAL, J. (ORAL)

The petitioners-landowners are aggrieved of the impugned order dated 10.12.2014, whereby the References filed under Section 18 of the Land Acquisition Act, 1894 (for short 'the 1894 Act') have been dismissed being barred by law of limitation.

Mr. Sherry K. Singla, learned counsel appearing on behalf of the petitioners-landowners submits that the aforementioned order is not sustainable in the eyes of law as other landowners have already got the benefit in regular first appeal and the same benefit could be given, thus, urges this Court for setting aside the findings under challenge.

Mr. Pritam Saini, learned counsel appearing on behalf of the respondent submits that the reference was filed beyond six weeks as per the provisions of Section 18 of the 1894 Act and therefore, the provisions of

Section 5 of the Limitation Act does not apply and rightly so, has been dismissed.

I have heard the learned counsel for the parties and appraised the paper book and of the view that the reference filed under Section 18 of the 1894 Act beyond six weeks cannot be condoned by taking the aid of the provisions of Section 5 of the Limitation Act. If at all, the benefit had been given to the similarly situated landowners, the petitioners could have availed the remedy under Section 28-A of the 1894 Act, if permissible.

For the foregoing reasons, no ground is made for interference and accordingly, the same is dismissed.

04.10.2016
Yogesh Sharma

(AMIT RAWAL)
JUDGE

	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No