

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

RFA No.2148 of 2016 (O&M)

Date of Decision : 27.5.2016

Bachittru(deceased) through LRs and others

.....Appellants

Vs.

Union of India and others

.....Respondents

...

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

...

Present : Mr. Vishal Aggarwal, Advocate for the appellants.

...

1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

CM No.6482-C1 of 2016

Applicants seek leave of the court to file an appeal on behalf of the legal representatives of appellants no.1, 2, 9, 11 and 12, on the basis of particulars given in the application.

CM No.6481-C1 of 2016 and RFA No.2148 of 2016

Applicant seeks condonation of delay of 2956 days in filing the appeal.

Learned counsel for the applicant submits that the present appeal is squarely covered by the order dated 17.2.2016 passed by this court in RFA No.1475 of 2009 (Union of India and another Vs. Harbans Singh and others).

Notice of motion.

On the asking of the court, Sh. Vivek Singla, Advocate, accepts

notice and after going through the record fairly states that the present appeal is squarely covered by the order dated 17.2.2016 passed by this court in **Harbans Singh's case (supra)**.

After hearing learned counsel for the parties, instant application is allowed for the reasons stated therein. Delay of 2956 days in filing the appeal is condoned, which was initially only for 96 days and the further delay took place at the hands of the counsel, while removing the objections raised by the Registry, is condoned. However, in view of the law laid down by the Hon'ble Supreme Court in **Imrat Lal and others Vs. Land Acquisition Collector and others**, 2015 (1) SCC (Civil) 242, the applicant-appellant shall not be entitled for interest for this period of 2956 days in filing the appeal.

CM stands disposed of.

Learned counsel for the parties are ad-idem that the present appeal is squarely covered by the order dated 17.2.2016 passed by this court in **Harbans Singh's case (supra)**.

In view of the above, present appeal is ordered to be disposed of in terms of the order dated 17.2.2016 passed by this court in RFA No.1475 of 2009 (Union of India and another Vs. Harbans Singh and others).

Disposed of, accordingly.

27.5.2016
GS

(RAMESHWAR SINGH MALIK)
JUDGE