

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

261/2

Regular First Appeal No.2253 of 2016 (O&M)

Date of Decision: December 16, 2016

Kesri (deceased) through LR Mahender

...Appellant

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Adish Gupta, Advocate, for the appellant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.6734-CI of 2016

Prayer in this application is for condonation of delay of 922 days in filing the appeal.

For the reasons mentioned in the application which is supported by the affidavit of the applicant-appellant, the same is allowed.

Delay of 922 days in filing the appeal stands condoned.

CM No.6733-CI of 2016

Prayer in this application is for impleading the legal representative of deceased-Kesri, who is stated to have died on 30.05.2014. The details of the surviving legal representative of deceased-Kesri are mentioned in para 2 of the application. As per the mandated provisions, prayer has been made that the said person be impleaded as legal representative of the deceased. The application is supported by the affidavit of Mahender son of deceased-Kesri.

In view of the above, the present application is allowed. The legal representative of deceased-Kesri as mentioned in para 2 of the application is brought on record subject to just exceptions and for the purpose of present litigation only.

CM No.6732-CI of 2016

Prayer in this application is for deciding the appeal in terms of the main judgment dated 16.09.2015 passed by this Court in *RFA No.7108 of 2012* titled as *Rampal and others Versus Land Acquisition Collector and another* by which the bunch of connected appeals was decided by this Court, which pertains to the acquisition which is a subject matter of the present appeal as well.

Notice of motion.

On the asking of the Court, Mr. Ashish Yadav, Addl. A.G., Haryana, accepts notice on behalf of the respondent.

Counsel for the respondent has very fairly stated that it pertains to the same acquisition and, therefore, would be covered by the said judgment passed by this Court in *RFA No.7108 of 2012* titled as *Rampal and others Versus Land Acquisition Collector and another*.

RFA No.2253 of 2016

In view of the above, the present appeal is allowed.

Appellant, however, shall not be entitled to the interest for a period of 922 days which was the delay in filing the present appeal. The other benefits would be accruing to the appellants as per the judgment passed by this Court in *RFA No.7108 of 2012* titled as *Rampal and others Versus Land Acquisition Collector and another*.

December 16, 2016
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No