

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1	RFA No.3264 of 2016(O&M) Date of decision: 05.08.2016
Shyam Singh and others	... Appellants
Versus	
State of Haryana and others	... Respondents
2	RFA No.3265 of 2016(O&M)
Indrawati and others	... Appellants
Versus	
State of Haryana and others	... Respondents
2	RFA No.3266 of 2016(O&M)
Indrawati and others	... Appellants
Versus	
State of Haryana and others	... Respondents
3	RFA No.3267 of 2016(O&M)
Sariya (deceased) through her LRs	... Appellants
Versus	
State of Haryana and others	... Respondents
4	RFA No.3268 of 2016(O&M)
Chandan (deceased) through his LRs	... Appellants
Versus	
State of Haryana and others	... Respondents

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RFA No.3270 of 2016(O&M)

Heera (deceased) through his LRs and others

... Appellants

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Prateek Rathee, Advocate for the appellants.
 Mr. Shivendra Swaroop, AAG, Haryana,
 for respondents No.1 & 3.
 Mr. Pritam S. Saini, Addl. AG, Haryana,
 for respondent No.4-HSIIDC.

ARUN PALLI J. (Oral)**CM-8932-CI-2016**

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the delay of 769 days in re-filing the accompanying appeal is condoned.

CM-8933-CI-2016

Allowed, as prayed for.

CM-8935-CI-2016

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed subject to all just exceptions. Consequently, the legal representative of late Sarla – appellant No.7, who is stated to have passed away during the pendency of the reference on 25.05.2007, is granted leave to institute and maintain the present appeal.

CM-8934-CI-2016; and
RFA-3264-2016

This is an application to dispose of the main case in the wake of the judgment, 12.02.2016, rendered by this court in RFA No.1427 of 2014 – Rajit and another v. State of Haryana and others.

Notice.

On the asking of the court, Mr. Shivendra Swaroop, AAG, Haryana and Mr. Pritam S. Saini, Addl. AG, Haryana, accept notice on behalf of respondents No.1, 3 and 4, respectively.

Learned counsel for the parties submit that respondent No.2 is neither a necessary nor a proper party, as the land was acquired by the State for HSIIDC and, thus, service of the said respondent be dispensed with.

Ordered, accordingly.

Learned counsel for the applicants submits that the matter in issue is squarely covered by the aforesaid decision, vide which the compensation awarded to the landowners was enhanced by this court. Therefore, he submits that this appeal is also required to be disposed of in the same terms.

The factual position, as set out above, is not disputed by the learned State counsel.

That being so, the main case is taken on board.

For, the learned counsel for the parties are *ad idem* that the matter in issue is squarely covered by the decision rendered by this court in Rajit and another' case (supra), the present appeal is disposed of the same terms.

August 5, 2016
Rajan

(Arun Palli)
Judge

Whether speaking/ reasoned: YES/NO

Whether reportable: YES/NO