

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

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**CM Nos.3754-57-CI of 2017
in/
and
RFA No.3928 of 1992(O& M)
Date of Decision:05.04.2017**

Sher Singh and others

....appellants

Versus

Land Acquisition Collector, Pathankot and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.R.S.Manhas, Advocate
for the appellants

ARUN PALLI, J. (ORAL):

CM No.3754-CI of 2017

Application is allowed as prayed for.

CM No.3755-CI of 2017

This is an application seeking condonation of delay of 1454 days in moving the application for restoration of the appeal, which was dismissed for non-prosecution on 21.02.2013.

Learned counsel for the applicants-appellants submits that even the other connected appeals, arising out of the same acquisition were also dismissed in default, vide order of an even date, but were subsequently restored. Further, vide order and judgement dated 27.05.2015, rendered by this Court in RFA No.3483 of 1992-Union of India and others vs. Raghubir Singh and others, this Court dismissed the appeals preferred by the Union of India, whereas, in the claimants' appeals, the compensation was enhanced

to ₹ 1,000/- per marla.

Notice in the application.

Ms.Seema, Advocate, present in the Court, accepts notice on behalf of the non-applicants/respondents.

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

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Consequently, delay of 1454 days in filing the application for restoration of the appeal, is condoned.

CM stands disposed of.

CM No.3757-CI of 2017

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Consequently, the order dated 21.02.2013 is recalled and the appeal is restored to its original number.

CM stands disposed of.

CM No.3756-CI of 2017

For the reasons set out in the application, that is duly supported by an affidavit, same is allowed, subject to all just exceptions. Consequently, legal representatives of deceased Uttam Singh-appellant No.3, who is stated to have died on 22.12.2007, as depicted in para No.2 of the application, are brought on record, for the purpose of pursuing the appeal only.

CM stands disposed of.

RFA No.3928 of 1992

For, learned counsel for the parties are ad idem that the matter

in issue is squarely covered by the judgement rendered by this Court in Raghbir Singh's case(supra), the present appeal too is disposed of, in terms thereof.

April 05, 2017
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(ARUN PALLI)
JUDGE

Whether speaking/reasoned Yes/No.

Whether reportable- Yes/No