

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

**101**

**CM No.5268-5269-CI of 2017 in  
CM No.3910-CI of 2008  
in/and  
RFA No.4435 of 2001(O & M)  
Date of Decision:27.07.2017**

Mange Ram and another

....appellants

Versus

The State of Haryana and another

.....respondents

**CORAM: HON'BLE MR.JUSTICE ARUN PALLI**

Present: Mr.Ashok Kaushik, Advocate  
for the appellants

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**ARUN PALLI, J. (ORAL):**

**CM-5268-CI-2017**

This is an application under Section 5 of the Limitation Act, seeking condonation of delay of 3273 days in filing the accompanying application, seeking restoration of the appeal that was dismissed for non-prosecution on 25.04.2008.

Notice.

Mr.Shivendra Swaroop, AAG Haryana, present in the Court, accepts notice on behalf of the non-applicants/respondents.

For the reasons set out in the application, that is duly supported by an affidavit, the same is allowed. Consequently, delay of 3273 days in filing the application under Order 41 Rule 19 CPC, for restoration of the appeal, is condoned.

CM stands disposed of.

**CM-5269-CI-2017**

This is an application under Order 41 Rule 19 CPC for

recalling of the order dated 25.04.2008, vide which, the appeal was dismissed for non-prosecution.

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, order dated 25.04.2008 is recalled and the appeal is restored to its original number.

CM stands disposed of.

**RFA No.4435 of 2001**

Learned counsel for the appellants submits that the matter in issue is squarely covered by an order/judgement dated May 03, 2006, rendered by this Court in RFA No.2501 of 2001 titled “Ved Pal and others vs. State of Haryana and others”, vide which, in the appeals arising out of the same acquisition, this Court had enhanced the compensation awarded to the claimants-landowners.

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

That being so, the present appeal too is disposed of in terms of the decision of this Court in the case of Ved Pal and others (supra).

July 27, 2017

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**(ARUN PALLI)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable-

Yes/No  
Yes/No