

210 IOIN-CM-3684-CI-2017

IOIN-CM-3685-CI-2017
IOIN-CM-3686-CI-2017
IOIN-CM-3687-CI-2017
IOIN-CM-3688-CI-2017
IN RFA-3934-1992

**Ram Singh (deceased) and others v. Land Acquisition Collector, Pathankot
and others**

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

Ms. Rukhsaar Sandhu, AAG, Punjab.

The appeal as also all the miscellaneous applications therein, were disposed of by this Court vide order and judgment, dated 05.04.2017. But the matter has again been placed before this Court by the office, for, three miscellaneous applications, i.e. CM-3486-CI-2017, CM-3487-CI-2017 and CM-3488-CI-2017, were wrongly numbered as such by the branch, whereas the numbers assigned to these applications were CM-3686-CI-2017, CM-3687-CI-2017 and CM-3688-CI-2017. Even the number of CM-3685-CI-2017 is depicted in the accompanying affidavit as CM-3485-CI-2017. It is pleaded that the mistake has occurred purely out of inadvertence and owing to rush of work.

As the error that has crept in appears to be accidental in nature, the same is ordered to be rectified. Accordingly, the office is permitted to carry out necessary corrections in the number of miscellaneous applications as also in the order and judgment dated 05.04.2017, as indicated above.

**(ARUN PALLI)
JUDGE**

September 20, 2017
Pkapoor

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

104-2

**CM Nos.3684-88-CI of 2017
in/
and
RFA No.3934 of 1992(O& M)
Date of Decision:05.04.2017**

Ram Singh (deceased) and othersappellants

Versus

Land Acquisition Collector, Pathankot and othersrespondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

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

ARUN PALLI, J. (ORAL):

CM No.3684-CI of 2017

Application is allowed as prayed for.

CM No.3685-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.3488-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.3486-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 Ram Singh-appellant No.1, who is stated to have died on 23.07.1995, 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.

CM No.3487-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 Munshi-appellant No.2, who is stated to have died on 17.05.2008, 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.3934 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
neenu

(ARUN PALLI)
JUDGE

Whether speaking/reasoned Yes/No.

Whether reportable- Yes/No

**NOTE: THIS ORDER HAS BEEN CORRECTED, VIDE ORDER
DATED 20.09.2017.**

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

104-2

CM Nos.3684-88-CI of 2017

in/and

RFA No.3934 of 1992(O& M)

Date of Decision: 05.04.2017

Ram Singh (deceased) 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. 3684-CI of 2017

Application is allowed as prayed for.

CM No. 3685-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. 3688-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. 3686-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 Ram Singh-appellant No.1, who is stated to have died on 23.07.1995, 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.

CM No. 3687-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 Munshi-appellant No.2, who is stated to have died on 17.05.2008, 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.3934 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
neenu

(ARUN PALLI)
JUDGE

Whether speaking/reasoned Yes/No.

Whether reportable- Yes/No

**NOTE: CORRECTED ORDER PURSUANT TO THE ORDER
DATED 20.09.2017.**