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

**RA-CR-95-CII-2017 (O&M) IN
FAO-6159-2016
Date of decision : 17.08.2017**

Dharmo Devi and others

... Applicant(s)

Versus

Union of India and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Sherry K. Singla, Advocate
for the review applicant/appellant.

Mr. R.S. Madan, Advocate
for the non-applicant/respondent(s)-Union of India.

AMIT RAWAL, J. (ORAL)

CM-14075-CII-2017

Deficiency of the Court fee has been made good. C.M. stands
disposed of.

CM-14076-CII-2017

For the reasons stated in the application, which is duly
supported by an affidavit, the application is allowed and the delay of 180
days in filing the present review application is condoned.

RA-CR-95-CII-2017

Prayer in the present review application under Order 47 Rule 1
CPC read with Section 151 CPC is for recalling/reviewing the order dated
08.11.2016 passed by this Court in FAO No.6159 of 2016, whereby this
Court on the premise that the land of the applicant/appellants belongs to

Village Daulatpur, disposed of the appeal in terms of the order dated 30.03.2016 passed in FAO No.9678 of 2014, whereas, in fact the land of Dharmo Devi as per Award (Annexure A-1) belonged to Village Jandwal and not Daulatpur.

Learned counsel for the applicant/appellants has pointed out that in respect of Village Jandwal, there is already a decision dated 30.03.2016 rendered in **FAO No.3537 of 2014** titled as **“Union of India and another V/s Hari Karishan and others”**.

This fact is not controverted by the learned counsel appearing on behalf of the respondent(s)/Union of India, but he submits that this Court had not granted the benefit of interest as the appeal was filed belatedly and even in the present application, there is a delay of 180 days, thus, urges this Court that the applicant/appellants is not entitled for the benefit of interest.

I have heard the learned counsel for the parties and appraised the paper book and of the view that the Award (Annexure A-1) leaves no manner of doubt that the land of the applicant/appellants pertained to Jandwal, but not to Daulatpur. Resultantly, the order dated 08.11.2016 is corrected/modified and Village Daulatpur be read as Village Jandwal. The appeal shall also dispose of in terms of the order dated 30.03.2016 rendered in **FAO No.3537 of 2014** titled as **“Union of India and another V/s Hari Karishan and others”**.

However, it is made clear that the applicant/appellants would not be entitled to interest for the period of 180 days.

The applicant/appellants shall also not entitled to take the benefit of interest as the enhancement has been sought belatedly by 1835

days and in other words, the applicant/appellants would not be entitled to interest for the aforementioned period.

Review application stands disposed of.

17.08.2017 Yogesh Sharma	(AMIT RAWAL) JUDGE
	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No