

211-3

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

LPA No.1226 of 2016 (O&M)

Date of Decision: 10.05.2018

**Munshi Ram (deceased) through LR Banarsi Dass (deceased) through
LRs and another**

..... Appellants

Versus

State of Haryana

..... Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present: Mr. Deepak Sharma, Advocate
for the appellants.

Mr. Samarth Sagar, Addl. A.G., Haryana.

RAJESH BINDAL J.

Judgment dated 07.01.1999 of the learned Single Judge deciding a bunch of Regular First Appeals pertaining to determination of compensation for acquisition of land has been impugned by filing the present intra-court appeal. Along with the appeal, applications seeking condonation of delay of 6159 days in filing and 46 days in re-filing the appeal have also been filed.

At the first instance, it is highly doubtful whether an intra-court appeal would be maintainable against the judgment of learned Single Judge passed in a Regular First Appeal. However, we are not going into that issue but find that there is hardly any explanation to condone huge delay of 6159 days in filing the present appeal when admittedly one of the

Legal Representative of Munshi Ram (deceased) at least is residing in the same village where the land in question pertains too. Further, Letter Patents Appeals filed by other landowners seeking enhancement of compensation were decided by this Court way back on 22.02.2006.

Learned counsel for the appellants had further pointed out that even Hon'ble the Supreme Court had decided the issues finally vide judgment in 'Ashrafi and others vs. State of Haryana and others (2013) 5 SCC 527.

Keeping in view the aforesaid facts, we do not find this to be a fit case to condone huge delay of 6159 days in filing the present appeal. Accordingly, the application seeking condonation of delay in filing the appeal is dismissed. Consequently, the appeal and application for condonation of delay in re-filing the appeal are also dismissed.

(RAJESH BINDAL)
JUDGE

(DEEPAK SIBAL)
JUDGE

10.05.2018

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No