

LPA no.1978 of 2017 (O&M) 1

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

LPA no.1978 of 2017 (O&M)

Date of Decision : 20.11.2018

The Chief Settlement Commissioner and others

....Appellant(s)

Versus

Sh. Atma Ram and others

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE LALIT BATRA**

Present : Mr. B.S.Kanwar, Advocate for appellants

MAHESH GROVER, J.(ORAL)

The appellants are aggrieved of the order of the learned Single Judge dated 21.3.2017.

We notice that the learned Single Judge had disposed of the writ petition in the following terms:-

“Keeping in view the aforementioned facts, I intend to dispose of the present writ petition with a direction to the Under Secretary in the FFR Division of the Ministry of Home Affairs, Government of India, having office at NDCC-II Building, Jaisingh Road, New Delhi, to decide the case of the petitioner(s) after affording the opportunity to the LR's of the petitioner, namely, Atma Ram etc. to place on record all the documents.

The petitioner shall approach the authorities

with all the relevant documents including Compensation Application Form (CAF). In case, all documents are provided, the Authority shall take the decision thereon within a period of six months from the date of receipt of the certified copy of this order.”

We are unable to appreciate the grievance of the appellants in the present appeal.

Learned counsel for the appellants contends that the authority which is empowered to look into the grievance has not been directed to do so and in fact directions have been given to an authority which is not even empowered to look into it.

We are of the view that this grievance should have been raised before the learned Single Judge. Instant appeal is totally mis-conceived and frivolous. Besides, it has been filed with an inordinate delay of 158 days. Hence, instant appeal is dismissed both on merits as also on issue of delay with costs of Rs.5,000/- which shall be deposited before the Mediation and Conciliation Centre of this Court within a period of one month from today.

(Mahesh Grover)
Judge

20.11.2018
rekha

(Lalit Batra)
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No