

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

RFA No. 1366 of 2017 (O & M)

Date of decision: 19.07.2018

Shamsher Singh and others

....Appellant(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: None for the appellants.

Ms. Vibha Tewari, AAG, Haryana.

G.S.SANDHAWALIA, J. (Oral)

Case has been called twice. However, none has put in appearance on behalf of the appellants. The appeal is directed against the award under Sections 18 and 30 of the Land Acquisition Act, 1894 passed by the Reference Court, Karnal dated 30.03.2015.

The claim of the appellants for compensation has been denied to them on the ground that respondent no. 3-Yoginder Kumar, who was petitioner before the Reference Court was held to be the owner of the land in question. The said respondent had taken the possession of the land in question way back in the year 1965 by getting a decree (Ex.P-12) executed and resultantly, the entry in the name of the present appellants had been wrongly continuing despite passing of the order Ex.P-13. It is on such account they have been non-suited for the grant of compensation. The said respondent is stated to have expired, which fact was recorded on 17.11.2017 and time was granted to file application to implead the legal representatives of the said respondent. Further time was granted on 16.02.2018 and

23.04.2018 but needful has not been done. The appeal is also barred by 486 days and one of the appellants has also died, whose application for bringing on record the legal representatives has also been moved.

Accordingly, the appeal and the applications are dismissed for non-prosecution.

19.07.2018
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking	Yes
Whether reportable	No

