

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

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**CM-10231-C-2014 in/and
RSA-4433-2014 (O&M)
Date of Decision : 29.08.2018**

Baljinder Singh

..... Appellant

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present :- Mr. Gurmeet Singh Saini, Advocate
for the applicant-appellant.

AJAY TEWARI, J. (Oral)

CM-10231-C-2014

For the reasons recorded, the application is allowed. Delay of 206 days in filing the appeal is condoned.

RSA-4433-2014 (O&M)

This appeal has been filed against the concurrent judgments of the courts below dismissing a suit filed by the appellant.

The case of the appellant was that in the year 1975-76 a road was constructed over his land by the Government but no compensation was paid.

In the written statement, the plea taken by the State was that the appellant had purchased the land only in the year 1981 and he was not even the owner when the road was constructed.

The courts below noticed that at the time when the appellant had purchased the land he should have got it demarcated to understand what he was purchasing and what was being handed over to him. Moreover, the appellant did not produce any record or sale deed to prove the exact land purchased by him. In view of these facts both the courts below dismissed the suit. Hence, the present appeal.

Even before me counsel has not been able to satisfy me as to how he could be sure of the circumstances under which the road was constructed; the compensation was paid or not paid to the then owner; what exactly did he buy and what exactly did he get possession of.

In the circumstances, no fault can be found with the judgments of the courts below.

Appeal is dismissed. No costs.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

August 29, 2018
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No