

CR Nos.2953 to 2959 of 2017 (O&M)

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

Date of decision : 08.01.2019

1.

Didar Singh

CR-2953-2017 (O&M)

... Petitioner

Versus

State of Punjab and others

... Respondents

2.

Raj Kumar

CR-2954-2017 (O&M)

... Petitioner

Versus

State of Punjab and others

... Respondents

3.

Parkash Chand

CR-2955-2017 (O&M)

... Petitioner

Versus

State of Punjab and others

... Respondents

4.

Pritam Singh

CR-2956-2017 (O&M)

... Petitioner

Versus

State of Punjab and others

... Respondents

5.

Didar Singh and another

CR-2957-2017 (O&M)

... Petitioners

Versus

State of Punjab and others

... Respondents

CR Nos.2953 to 2959 of 2017 (O&M)

6. CR-2958-2017 (O&M)

Balbir Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

7. CR-2959-2017 (O&M)

Daya Ram Gir

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. V.P. Singh, Advocate
for the petitioner(s).

AMIT RAWAL, J.

This order of mine shall dispose of seven revision petitions bearing CR No.2953 of 2017 titled as ***“Didar Singh V/s State of Punjab and others”***, CR No.2954 of 2017 titled as ***“Raj Kumar V/s State of Punjab and others”***, CR No.2955 of 2017 titled as ***“Parkash Chand V/s State of Punjab and others”***, CR No.2956 of 2017 titled as ***“Pritam Singh V/s State of Punjab and others”***, CR No.2957 of 2017 titled as ***“Didar Singh and another V/s State of Punjab and others”***, CR No.2958 of 2017 titled as ***“Balbir Kaur V/s State of Punjab and others”*** and CR No.2959 of 2017 titled as ***“Daya Ram Gir V/s State of Punjab and others”***, filed against the order dated 28.11.2016, whereby the application for condonation of delay in filing the application/reference, has been dismissed.

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The short point involved in the present revision petitions is whether the reference under Section 18 of the Land Acquisition Act, 1894 (in short 'the 1894 Act'), can be entertained beyond six months as prescribed under Section 18(2)(b) of the 1894 Act. The answer is 'no'.

Concededly the award was propounded on 07.07.2011 and the reference under Section 18 of the 1894 Act was filed on 12.10.2016. It would be apt to reproduce the provisions of Section 18(2)(b) of the 1894 Act, which read as under:-

"Section 18(2)(b) in The Land Acquisition Act, 1894

(b) in other cases, within six weeks of the receipt of the notice from the Collector under section 12, sub-section (2), or within six months from the date of the Collector's award, whichever period shall first expire.

None of the ingredients as specified in the 1894 Act, has been complied with.

Learned counsel for the petitioner on instruction from his client submitted that the delay may be condoned for the purpose of awarding of the interest. In support of his contentions, reliance has been laid to the *ratio decidendi* culled out by this Court in **"Jethu Ram (since deceased) through LRs V/s Union of India and others" 2016 (4) Law Herald 3166.**

I am afraid the aforementioned judgment rendered in **Jethu Ram's case** (supra) would not apply as judgment pertains to regular first appeal i.e. second enhancement and not the initial reference under Section 18 of the 1894 Act.

In view of above, I do not find any illegality and perversity in the impugned order, under challenge. No ground is made out for

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interference.

Accordingly, the revision petitions are dismissed.

08.01.2019
Yogesh Sharma

(AMIT RAWAL)
JUDGE

✓

Whether speaking/reasoned **Yes/ No**

✓

Whether Reportable **Yes/ No**