

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

RFA No. 2540 of 2019 (O & M)

Date of decision: 30.10.2019

Belo Ram @ Beli Ram (D) through L.Rs. and othersAppellant(s)

Versus

UOI and others ...Respondent(s)

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

Present: Mr. R.S. Manhas, Advocate,
for the appellants.

G.S.SANDHAWALIA, J. (Oral)

The appeal is directed against the award of the Reference Court, Gurdaspur dated 01.06.1981 for the notification dated 02.12.1977. The appeal is barred by delay of 13772 days in filing the same. It has been stated that appellant no. 1-Belo Ram was looking after the case and died on 23.10.1984 and, therefore, the delay as such has occurred.

Applications for bringing on record the legal representatives of appellant no. 1-Belo Ram and other appellants no. 2, 3, 5 and 6 have also been filed. The said original land owners have died way back in the years 1984, 2004, 2011, 1997 and 2006 respectively. The cause of action as such died alongwith the said land owners and the appeal filed now after 4 decades would not be maintainable as no sufficient cause is made out in the facts and circumstances. Reliance though has been placed upon the judgments of the Apex Court in *Imrat Lal and others vs. Land Acquisition Collector and others, 2014 (14) SCC 133* and *Dhiraj Singh (D) through L.Rs. and others vs. Haryana State and others, 2014 (14) SCC 127*. However, the Apex Court in the said cases has condoned the delay of 12

years but in the present case, the delay is of more than 4-1/2 decades. In such circumstances this Court is loath to interfere with the award as such. The law of limitation may be harsh but it cannot be thrown out of the window at the asking of the litigants.

Accordingly, this Court is of the opinion that neither the application for condonation of delay is to be allowed as no sufficient cause is made out nor the applications for bringing on record the legal representatives are liable to be allowed.

Resultantly, the applications alongwith the main appeal stand dismissed.

30.10.2019
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No