

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

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RFA-2230-2019 (O&M)
Date of decision: 31.05.2019

State of Haryana & another

...Appellants

Versus

Shiv Kumar & others

...Respondents

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

Present: Ms.Shivendra Swaroop, AAG, Haryana.

G.S. SANDHAWALIA, J. (Oral)

CM-5550-CI-2019

Allowed, as prayed for.

CM-5551-CI-2019

Application under Section 5 of the Limitation Act has been filed for condonation of delay of 1213 days in filing the above-cited appeal against the award dated 16.10.2015 of the Reference Court Faridabad.

The reasons given for condonation of delay is on account of the fact that judgment dated 16.10.2015 is based upon the judgment of this Court in **RFA No.7108 of 2017 Ram Pal & Ors vs. LAC & Ors.** decided on 16.09.2015. It is accordingly contended that on account of the remand order dated 06.12.2017 passed by the Apex Court in **SLP(C) No.671 to 673 of 2016 Premwati & Ors. vs. State of Haryana & Ors.** whereby the judgment in **Ram Pal & Ors.** (supra) was set aside, the necessity to file the appeal has arisen.

In view of the averments made in the application, showing sufficient cause explaining for the delay duly supported by affidavit, the delay of 1213 days in filing the appeal is hereby condoned.

CM stands disposed of.

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The present appeal is disposed of, in view of the detailed judgment of even date, passed in RFA-7801-2012 titled *Ram Pal-II & others Vs. Land Acquisition Collector & another.*

31.05.2019

Sailesh

(G.S. SANDHAWALIA)

JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*