

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RFA-10077-2014

Date of decision: 26.03.2019

Kewal & another

....Appellants

Versus

State of Haryana & another

...Respondents

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

Present: Mr.Deepak Sharma, Advocate, for the appellants.

Mr.Sudeep Mahajan, Addl.A.G., Haryana.

Ms.Vibha Tewari, AAG, Haryana.

G.S. SANDHAWALIA, J. (Oral)

The present appeal, filed under Section 54 of the Land Acquisition Act, 1894, is directed against the award dated 19.09.2014, whereby the Reference Court, Ambala has dismissed the reference on the ground of limitation, in the absence of any explanation for the delay of 6 years, since the award was passed on 11.03.2008 and the reference petition was filed only on 30.01.2014.

Counsel for the appellants, accordingly, does not wish to press the present appeal and reserves his remedy to approach the Executing Court, for the benefits of the award passed by the Reference Court, Ambala dated 21.09.2011, on the basis of being co-sharers, in view of the law laid down in **Patiala Improvement Trust thru. its Chairman Vs. S. Amar Singh & others 2005 (2) PLR 150** and **Furkan Ali Vs. State of Haryana & others 2007 (1) PLR 474**. The said award is subject matter of challenge on the issue of enhancement in a separate set of appeals also.

In view of the above, the present appeal is dismissed as not pressed, with the aforesaid liberty.

26.03.2019

Sailesh

(G.S. SANDHAWALIA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No