

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

377

**RFA No.329 of 2015
Decided on : 06.11.2019**

Teju

... Appellant

Versus

Land Acquisition Collector, Urban Estates, Gurgaon and others

... Respondents

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

Present: Mr. Sandeep Sharma, Advocate
for the appellant.

Mr. Sudeep Mahajan, Addl. AG, Haryana.
Mr. Abhinash Jain, AAG, Haryana.

G.S. Sandhawalia, J. (Oral)

The present appeal filed under Section 54 of the Land Acquisition Act, 1894 (for short 'the Act') is directed against the Award dated 01.11.2014 passed by the Reference Court, Gurgaon, whereby the petition under Section 18 of the landowner was dismissed being time barred under Section 18 (2) (b) of the Act.

The Reference Court noticed that the award was passed by the Land Acquisition Collector on 12.08.2009 regarding village Ullawas and the compensation had been received in October, 2011. The reference petition was only filed on 26.02.2013 and in such circumstances, the reference petition had been dismissed as time barred.

Counsel is not in a position to show that the findings of the Reference Court as such suffer from any infirmity and the statutory period as such provided under Section 18 (2) (b) can be overcome in any manner in view of the settled law laid down by the Apex Court. The

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

RFA No.329 of 2015

-2-

same had been relied upon by the Reference Court which are '**Officer on Special Duty (Land Acquisition) and another Vs. Sham Mani Lal Chandu Lal and others**', 1996 (9) SCC 414 and **Parsottambhai Maganbhai Patel and others Vs. State of Gujarat through Deputy Collector Modasa and another**, AIR (2005) SC 3464.

Counsel submits that he may be given liberty as such to approach the Executing Court on the strength of his right being a co-sharer, if any, to get the same amount of compensation as granted to other landowners by the Reference Court.

Accordingly, the present appeal is dismissed with the aforesaid liberty.

NOVEMBER 06, 2019
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No