

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CM-26569-CII-2018 in/and
FAO-7280-2018 (O&M)

Date of Decision: March 20, 2019

Rampal and others

Appellants

Versus

Union of India and others

Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. N.K. Malhotra, Advocate
for the appellants.

JAISHREE THAKUR, J. (Oral)

CM-26569-CII-2018

For the reasons mentioned in the application, the same is
allowed and the delay of 50 days in re-filing the appeal is condoned.

Main case

The instant appeal arise out of acquisition proceedings under
the National Highway Act, 1956 and more particularly from the acquisition
of 252 kanal-4 marlas land situation in the revenue estate of Village Rukhi,
Tehsil Gohana, District Sonipat.

The appellants were admittedly represented by counsel before
the Arbitrator who passed an award dated 30.05.2013 determining and
awarding compensation @ ₹30,00,000/- per acre. The appellants filed
objection petition challenging the award after approximately 07 months.

The Court below held that the delay of 07 month could not be condoned in view of the provision of Sub Section 3 of Section 34 of the Arbitration and Conciliation Act, 1966 (for short the 'Act') and further went on to hold that the appellants had not even been able to fulfill the conditions of Section 34 (2) of the Act.

Learned counsel for the appellants has not been able to show how these findings are wrong.

Appeal stand dismissed.

Since the main case have been decided, the pending civil miscellaneous applications, if any, also stand disposed of.

March 20, 2019

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No