

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

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**CM-8862-8863-CI-2019 in/and
XOBJR-116-2019 in
RFA-3740-2018 (O&M)
Date of decision : 22.10.2019**

State of Haryana & others

... Appellants

Versus

Babu Lal & others

... Respondents

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

Present : None for the applicant/cross-objectors.

Mr.Shivendra Swaroop, AAG, Haryana.

G.S. Sandhawalia, J. (Oral)

Present Cross-objection has been preferred, which is barred by 288 days.

The main appeal bearing RFA-3725-2018 along with Cross-objection No.168-CI-2018 with other connected cases, were disposed of on 09.05.2019 and the State appeals were allowed. The judgment of the Reference Court, Narnaul dated 12.01.2017 was set aside and the matter was remanded, for fresh consideration. Relevant portion of the judgment reads as under:

“Keeping in view the above, this Court is of the opinion that the award cannot stand legal scrutiny as even the award dated 26.9.2014 (Ex. P-4) was not discussed which would have been a relevant piece of evidence as the land was falling in the same village and acquired earlier.

Accordingly, the State appeals are allowed and the judgment of the Reference Court dated 12.1.2017 is set aside. The matter are remanded for fresh consideration. Parties to appear before the District Judge, Mohindergarh at Narnaul on 8.7.2019.

Cross-objections are accordingly disposed of.”

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Keeping in view the above, the present cross-objection would not survive as the landowners would get adequate opportunity to press for the enhancement, before the Reference Court, Mohindergarh at Narnaul, on the basis of the material already brought on record.

Accordingly, in view of the above discussion, the present cross-objection along with the application for condonation of delay in re-filing are dismissed.

October 22nd, 2019

sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No