

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

RFA No.1307 of 2018(O&M)

Date of decision: 25.3.2019

Kamruddin through his L.Rs. and another

...Appellant

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Ashish Gupta, Advocate for the appellants

Ms. Vibha Tewari, AAG, Haryana.

Mr. Pritam Saini, Advocate for respondents no.3 and 4.

G.S.SANDHAWALIA, J. (Oral)

CM No.3334-CI of 2018

Application for condonation of delay of 2404 days in filing the present appeal has been filed against the award of the Reference Court, Mewat at Nuh dated 9.8.2010. Though the application, as such, does not give any sufficient cause to condone the delay, which are barred by limitation but in similar circumstances delay has been condoned in RFA No.3502 of 2017 decided on 22.2.2019.

Accordingly, keeping in view the fact that the interest of the respondents can be protected, in view of the judgments of the Apex Court in *Imrat Lal & others Vs. Land Acquisition Collector & others 2015 (2) RCR (Civil) 437* and *Dhiraj Singh (D) Th. LRs. Vs. Haryana State & others 2015 (2) RCR (Civil) 507*, the delay of 2404 days in filing the present appeal, is hereby condoned. However, the appellants shall not be entitled for the interest element, for the said period of delay, in case the Reference Court decides in their favour as the matter is being remanded.

CM stands disposed of.

Main case

It could not be disputed by the counsels that for the notification dated 29.09.2005, this Court in RFA-3552-2010 titled *Om Parkash & others Vs. State of Haryana & others*, decided on 31.01.2019, remanded the bunch of matters of as many as 82 appeals to the Reference Court. The said order also dealt with the same village i.e. Bahadri and the award of the Reference Court is also common dated 9.8.2010

Resultantly, the present appeals are also disposed of in the same terms as in *Om Parkash* (supra). Parties to appear before the District Judge, Mewat at Nuh on 8.4.2019.

March 25, 2019
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No