

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CM-1750-CI-2019 in/and
RFA No.3502 of 2017
Decided on : 22.02.2019**

Mohd. Altaf (deceased) th LRs & others

... Appellants

Versus

State of Haryana & others

... Respondents

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

Present : Mr.Rakesh Gupta, Advocate, for the applicant/appellants.

Ms. Vibha Tewari, AAG, Haryana, for respondents No.1 & 2.

Mr.Pritam Saini, Advocate, for respondents No.3 & 4.

G.S. Sandhawalia, J. (Oral)

Applications for preponement

Applications for preponement have been filed for disposal in terms of the order passed on 31.01.2019, whereby parties had been directed to appear on 28.02.2019 before the District Judge, Mewat at Nuh.

Notice of the applications.

Ms.Vibha Tewari and Mr.Pritam Saini, Advocate, accept notice on behalf of respondents No.1 & 2 and 3 & 4, respectively.

Keeping in view the above, the applications are allowed and cases are preponed from 07.03.2019 to today.

Applications for condonation of delay

Applications for condonation of delay of 2313-2633 days in filing the present appeals have been filed against the award of the Reference Court, Mewat at Nuh dated 15.03.2010. Though the

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applications, as such, does not give any sufficient cause to condone the delay, which are barred by limitation but 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 2313-2633 days in filing the present appeals, 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 matters are being remanded.

CM stands disposed of.

Main cases

This order shall dispose of 7 appeals bearing RFA-3502, 3503, 3511, 3512, 3537, 3603 & 3660-2017.

Counsels are agreed 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., Roopaheri and the award of the Reference Court is also common dated 15.03.2010.

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 11.03.2019.

FEBRUARY 22nd, 2019

sailesh

Whether speaking/reasoned:

Whether Reportable:

(G.S.SANDHAWALIA)

JUDGE

Yes/No

Yes/No