

RSA-5993-2017 (O&M)

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

**RSA-5993-2017 (O&M)
Date of decision : 04.02.2019**

Ram Phal

... Appellant

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Abhinav Sood, Advocate
for the appellant.

Mr. Rohit Arya, AAG, Haryana.

AMIT RAWAL, J. (ORAL)

The appellant-plaintiff has sought the indulgence of this court for modification of the judgment and decree, as the trial Court confined the relief of compensation of land, for, the defendants had already constructed the road w.e.f. December 2003, whereas according to the submissions and the evidence brought on record, the appellant-plaintiff was deprived of the possession since 2000.

In order to strike the equity, learned State Counsel was called upon to apprise this Court as to what action is taken in compliance of the direction contained in para 12 of the judgment of the trial Court.

In pursuance to the order dated 20.12.2018, Mr. Ramesh Kumar, SDO, Provincial Sub Division, PWD (B&R), Branch Assandh, Karnal, is present in Court and through the State counsel, has handed over the copy of the Bill regarding payment of land compensation for

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construction of road, which showed that a sum of ₹82,031/- was paid. The same is taken on record.

In view of above, the direction contained in para 12 of the judgment of the trial Court, has been complied with.

However, I am of the view that the appellant-plaintiff has not been able to satisfy the Court with regard to the extent of possession having been taken by the Department, in the year 2000, so the compensation of two years, would be added.

In this view of the matter, I do not find any illegality and perversity in the judgments and decrees of the Courts below, much less, no substantial question of law arises for determination. No ground for interference is made out.

Resultantly, the present regular second appeal is dismissed.

04.02.2019

Yogesh Sharma

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**