

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

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**RFA No.2427 of 2019 (O&M)
Decided on : 11.02.2020**

Shamsher Singh

... Appellant

Versus

State of Punjab and another

... Respondents

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

Present: Mr. R.K. Rathore, Advocate for the appellant.

G.S. Sandhawalia, J. (Oral)

The present filed under Section 54 of the Land Acquisition Act, 1894 (for short 'the Act') is directed against the Award of the Reference Court, Kapuurthala dated 07.05.1994, which is barred by 9040 days.

In the application for condoning the delay, it has been averred that the appellant was under the impression that the appeal was filed alongwith other connected matters. On coming to know that the rate of land had been decided in connected matters, he applied for certified copy of the judgment on 26.03.2019 and, thus, the delay has occurred. It is contended that the applicant is a rustic villager and was not aware of intricacies of law.

It is not disputed that the Apex Court has decided the matter on 27.06.2018 in **Civil Appeal No.9067-9082 of 2013 'Charan Singh and another Vs. Land Acquisition Collector'** and has awarded a uniform rate of compensation of ₹46,829/- per acre alongwith all statutory benefits, for the notification in question. It is apparent that in such circumstances the appeal has been filed after a delay of 25 years, after the decision by the Supreme Court.

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Sufficient cause is a ground as such whereby the delay can be condoned, but the principles of limitation cannot be thrown out of the window and the litigant cannot sleep over his remedy, which is apparent in the present case. Reliance can be placed upon the judgment of the Apex Court in **Mewa Ram (deceased by LRs) & others Vs. State of Haryana AIR 1987 SC 45, Basawaraj & another Vs. Special Land Acquisition Officer 2013 (14) SCC 81 and Brijesh Kumar & others Vs. State of Haryana & others AIR 2014 SC 1612.**

Accordingly, no ground as such has been made out for condoning the inordinate delay, which is of over two and half decades. Resultantly, application for condoning the delay of 9040 days alongwith the main appeal stands dismissed.

FEBRUARY 11, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No