

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

**119**

**CR-609-2022**

**Date of decision: 23.03.2022**

Saroj (deceased) through LR Mahinder Dutt Sharma .....Petitioner

Versus

State of Haryana and others .....Respondents

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Ranjit Saini, Advocate for the petitioner.

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**MANJARI NEHRU KAUL, J. (ORAL)**

The petitioner is impugning the order dated 17.12.2019 (Annexure P-4) whereby his application for depositing enhanced amount of compensation was not adjudicated upon while passing the aforesaid order.

Learned counsel for the petitioner submits that the application (Annexure P-3) was moved by the petitioner on 21.02.2019 and after due service having been effected, it was fixed for filing of reply of the respondents. The respondents, however, did not file any reply despite a number of opportunities afforded to them. Learned counsel submits that the Court below thus committed a grave error inasmuch as while finally deciding the case vide judgment dated 17.12.2019, the application (Annexure P-3) remained undecided on merits resulting in the petitioner being prejudiced.

I have heard learned counsel and perused the relevant material placed on record.

A perusal of the zimni orders as well as the judgment dated 17.12.2019 does indeed reveal that the application (Annexure P-3) has

not been decided on merits by the Court below.

In the circumstances, the instant petition is disposed of with directions to the Court below to decide the application (Annexure P-3) dated 21.02.2019, filed by the petitioner on merits expeditiously preferably within a period of two months from today in accordance with law.

23.03.2022

(MANJARI NEHRU KAUL)

Vinay

JUDGE

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No