

**308-1 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

1.RFA-1401-2021 (O&M)

Ram Karan and others

....Appellants

Versus

State of Haryana and another

..Respondents

2.RFA-1404-2021 (O&M)

Narinder Kaur and another

....Appellants

Versus

State of Haryana and others

..Respondents

Date of decision: 06.07.2022

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.K.Arya, Advocate and
Mr. S.K.Sharma, Advocate for the appellants

Ms. Vibha Tiwari, AAG, Haryana

ANIL KSHETARPAL, J (Oral)

Application for re-filing

Notice of the application.

Ms. Vibha Tiwari, AAG, Haryana, accepts notice on behalf
of the State of Haryana.

These applications are for condonation of delay of 659 days
(RFA-1401-2021) and 762 days (RFA-1404-2021) in re-filing the
appeals. The appeals were filed within time, however, on account of
objections, the files were returned and which have been refiled after a
period of 659 days and 762 days respectively. It has been asserted that
the papers of these appeals were intermingled with the decided case,

which resulted in delay in re-filing. The applications are supported by an affidavit of the Clerk of the counsel.

In view of the aforesaid, the delay of 659 days (RFA-1401-2021) and 762 days (RFA-1404-2021) in re-filing the appeals is condoned, subject to the condition that the appellants shall not be entitled to interest for the period of delay.

CM-2960-CI-2021

Allowed as prayed for, subject to all just exceptions. The legal representatives of the deceased appellant no.3-Bhaga, as mentioned in para 2 of the application, are permitted to be brought on record, for the purpose of prosecuting the present appeal.

Main cases

By this order, two appeals i.e RFA-1401-2021 and RFA-1404-2021 shall stand disposed of.

Learned counsel representing the parties are ad idem that the present cases are covered by the previous judgment of this Court in **RFA-1235-2018** titled as **Ram Kaur vs. State of Haryana and other** decided on 10.01.2020. It has been stated that the notifications under Section 4 and 6 of the Land Acquisition Act, 1894 and the award passed by the Land Acquisition Collector are common. Even the award passed by the Reference Court is stated to be the same.

In view thereof, the appeals are disposed of in terms of the decision rendered in RFA-1235-2018.

All the pending miscellaneous applications, if any, are also

disposed of.

06.07.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE