

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

XOBJR-130-2021 in/and
RFA-3343-2018(O&M)
Date of decision:15.12.2022

STATE OF HARYANA AND ORS

...Appellant(s)

Versus

SHRI RAM DECEASED THR. HIS LRS AND ORS

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Shivendra Swaroop, AAG, Haryana.

Mr. Sanjay Mittal, Advocate
Mr. Varun Gupta, Advocate
for the landowner(s).

ANIL KSHETARPAL,J.

CM-7418-CI-2018

For the reasons stated in the application, the same is allowed and delay of 446 days in filing the appeal is condoned.

CM-4698-CI-2021 in XOBJR-130-2021

The prayer in this application is to condone the delay of 462 days in re-filing the cross-objections.

Admittedly, the connected appeals arising from the same notification under Section 4 of the Land Acquisition Act, 1894, are pending. The Hon'ble Supreme Court in *Imrat Lal and others vs. Land Acquisition Collector and others (SC) 2015(2) RCR (Civil) 437, Dhiraj Singh (deceased) thr. LRs vs. Haryana State and others, 2015(2) RCR (Civil) 507 and Jethu Ram (deceased) thr. LRs vs. Union of India and others, 2016(4) Law Herald 3166*, has held that in such cases the delay be condoned subject to the denial of interest to the appellants for the period of delay.

Hence, the application is allowed and delay of 462 days in re-filing the cross-objections is condoned, subject to the condition that the cross-objectors/respondents shall not be entitled to interest for the period of delay.

CM-4699-CI-2021 in XOBJR-130-2021

For the reasons mentioned in the application, which is supported by an affidavit, the application for bringing on record the legal representatives of Shri Ram and Chandgi (respondent Nos.1 & 2) is allowed, subject to all the just exceptions.

Main Case:-

For orders, see order of even date passed in **Regular First Appeal No.3285 of 2018**, titled as **State of Haryana and Ors. Vs. Matadeen and Ors.**

All the pending miscellaneous applications, if any, are also disposed of.

15.12.2022

Sachin M.

(ANIL KSHETARPAL)

JUDGE

Whether reasoned/speaking?

Yes

Whether reportable?

No