

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

131(2)

CM-828-CI-2022, CM-829-CI-2022
CM-830-CI-2022, CM-831-CI-2022
CM-1443-CI-2022 in/and RFA-5256-2013
Date of decision: 27.07.2022

SHANKAR AND ORS.

..Appellants

Versus

STATE OF HARYANA AND ANR.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Navmohit Singh, Advocate
for the appellants.

Mr. Shivendra Swaroop, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

CM-831-CI-2022

For the reasons stated in the application which is supported by an affidavit, the application for bringing on record the legal representatives of deceased late Sh. Shankar (appellant No.1), late Smt. Rambati @ Ramwati (appellant No.2), late Smt. Anar Dei (appellant No.6), late Sh. Sri Chand @ Siriya (appellant No.11), late Sh. Rajender (appellant No.12), late Sh. Farey @ Fire @ Phire Singh (appellant No.14) and late Sh. Mehkar Singh @ Mahkar (appellant No.25), is allowed, subject to all the just exceptions.

The amended memo of parties is taken on record.

CM stands disposed of.

Main

In view of the order passed in Civil Appeal No.21342-21343 of 2017 @ SLP (C) 33941-33942/2017, decided on 06.12.2017, the Regular First Appeal is restored to its original number.

In the first round, RFA-5256-2013, was disposed of in terms of judgment passed in **Regular First Appeal No.7108 of 2012, titled as "Rampal and others (II) Vs. Land Acquisition Collector and another", decided on**

31.05.2019.

Various civil appeals were filed before the Hon'ble Supreme Court including an appeal filed by appellants. The judgment passed by the High Court on 16.09.2015 in RFA-7108-2012, was set aside and the cases were remanded back to the High Court for fresh decision.

Once again, the High Court decided a batch of Regular First Appeals vide judgment dated 31.05.2019. The main judgment was written in RFA-7108-2012 (Ram Pal and another Vs. Land Acquisition Collector and another). Thereafter, the matter remained pending in the Hon'ble Supreme Court which has been recently decided on 14.07.2021 in Civil Appeal No.2903-2021, (Banwari Lal and another vs. State of Haryana and others).

The appellants claim that inadvertently this appeal was not taken up when the judgment dated 31.05.2019, was passed by the High Court in the second round. Through this application, the appellants pray for disposal of the appeal in terms of the judgment passed by the Supreme Court in “Banwari Lal and another vs. State of Haryana and others”, Civil Appeal No.2903-2021, decided on 14.07.2021.

The learned State counsel has failed to controvert the aforesaid facts.

Hence, the application is allowed.

The appeal is taken on board and is disposed of in terms of the judgment passed in **“Banwari Lal and another vs. State of Haryana and others”, Civil Appeal No.2903-2021, decided on 14.07.2021.**

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

July 27th, 2022

(ANIL KSHETARPAL)
JUDGE

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Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No