

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

RFA No.786 of 2016 (O&M)

Date of decision: 30.09.2022

Balbir Singh and others

....Appellants

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Pritam Singh Saini, Advocate,
Mr.Lokesh Sinhal, Advocate,
Mr.Deepal Balyan, Advocate for HSIIDC.
Mr.Sumeet Goel, Senior Advocate with
Mr.A.N.Vaid, Advocate.
Mr.Sanjiv Gupta, Advocate,
Mrs.Neeraj, Advocate with Mr.Abhinav, Advocate and
Mr.Madan Pal, Advocate,
Mr.Nonish Kumar, Advocate,
Mr.J.P.Sharma, Advocate,
Mr.Nayandeep Rana, Advocate,
Ms.Vaishali Kamboj, Advocate,
Mr.M.K.Taya, Advocate,
Mr.Rahul Deswal, Advocate,
Mr.Ashok Kumar Khubber, Advocate,
Mr.Pankaj Bali, Advocate,
Ms.Monika Gupta, Advocate,
Mr.Rajinder Goel, Advocate,
Mr.J.K.Goel, Advocate,
Mr.Himanshu Sharma, Advocate,
Mr.Rajesh Bansal, Advocate,
Mr.Vikram Singh, Advocate,
Mr.Varinder Singh, Advocate,
Mr.Akshay Jindal, Advocate for landowners
Mr.Shivendra Swaroop, AAG Haryana.
Mr.Ajay Chauhan, Advocate for
Mr.Diwan S.Adlakha, Advocate,
Mr.J.S.Virk, Advocate,
Mr.Manoj Kumar Taya,
Ms.Monika Gupta, Advocate,
Mr.Dhruip Kaushik, Advocate for
Mr.Arun Sharma, Advocate,

Mr.Nayandeep Rana, Advocate,

Mr.Nonish Kumar, Advocate.

ANIL KSHETARPAL, J.
CM No.2411-CI of 2016

For the reasons stated in the application, which is supported by an affidavit, the same is allowed. Leave to file accompanying appeal is allowed and applicants as mentioned in para 3 of the application, are ordered to be impleaded as legal representatives of appellant no.4, subject to all just exceptions.

CM No.2412-CI of 2016

The prayer in this application is to condone the delay of 318 days in re-filing the appeal.

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 318 days in re-filing the appeal is condoned, subject to the condition that the appellants shall not be entitled to interest for the period of delay.

CM No.2413-CI of 2016

For the reasons stated in the application, the same is allowed and delay of 27 days in filing the appeal is condoned.

Main Case

For orders, see detailed order of the even date passed in **RFA No.10339 of 2014 (O&M) titled as Sat Parkash and others Vs. State of Haryana and others.**

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

(ANIL KSHETARPAL)
JUDGE

30.09.2022
Meenu

Whether speaking : Yes/no
Whether reportable : Yes/No