

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

**129**

**1. RFA-4-2020(O&M)  
Date of decision: 14.07.2022**

**SHANKAR SINGH (DECEASED) THROUGH LRS.**

**..Appellant**

**Versus**

**THE SPECIAL LAND ACQUISITION COLLECTOR, GURDASPUR**

**..Respondent**

**2. RFA-118-2020(O&M)**

**BAKHTAWAR SINGH**

**..Appellant**

**Versus**

**THE SPECIAL LAND ACQUISITION COLLECTOR, GURDASPUR**

**..Respondent**

**3. RFA-119-2020(O&M)**

**GURANDITTA (DECEASED) THROUGH LRS.**

**..Appellant**

**Versus**

**THE SPECIAL LAND ACQUISITION COLLECTOR, GURDASPUR**

**..Respondent**

**4. RFA-446-2020(O&M)**

**JASWANT SINGH AND ORS.**

**..Appellants**

**Versus**

**THE SPECIAL LAND ACQUISITION COLLECTOR, GURDASPUR**

**..Respondent**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

**Present: Mr. Vishal Aggarwal, Advocate  
for the landowners.**

**Mr. Nikhil Chopra, Addl. A.G., Punjab.**

ANIL KSHETARPAL, J. (Oral)

CM-11-CI-2020 in RFA-4-2020  
CM-238-CI-2020 in RFA-119-2020

For the reasons stated in the applications which are supported by an affidavit, the applications for bringing on record the legal representatives of deceased late Sh. Shankar Singh (appellant) and Sh. Guranditta (appellant), respectively, are allowed, subject to all the just exceptions.

CMs stand disposed of.

CM-1024-CI-2020 in RFA-446-2020

For the reasons stated in the application for condonation of delay which supported by an affidavit, the application is allowed, subject to all the just exceptions.

The delay of 52 days in refiling the appeal is condoned.

CM stands disposed of.

CM-10-CI-2020 in RFA-4-2020  
CM-236-CI-2020 in RFA-118-2020  
CM-237-CI-2020 in RFA-119-2020  
CM-1025-CI-2020 in RFA-446-2020

In these four appeals, the appellants pray for condoning the delay of more than 15,000 days in filing the respective appeals. The assertions made in the applications are identical.

Section 5 of the Limitation Act, 1963, enables the Court to extend the time for filing the appeal, if sufficient cause is shown for not filing the appeal in a prescribed time period. The limitation act is a statute of repose. After expiry of the limitation, a corresponding right gets created in favour of other party. Such right can be defeated only if there is proper

explanation for condoning the delay. In these appeals, in terms of the years, the delay would come to nearly 41 years i.e. more than four decades. It is not the case of the appellants that any connected appeal is pending.

In the considered opinion of this Bench, the explanation furnished for condoning the colossal delay can neither be said to be sufficient nor plausible.

Hence, dismissed.

Consequently, all the four appeals shall also stand dismissed.

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

July 14<sup>th</sup>, 2022  
Ay

(ANIL KSHETARPAL)  
JUDGE

Whether speaking/reasoned  
Whether reportable

:  
:

Yes/No  
Yes/No