

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA No.4278 of 2019 (O&M)

Date of decision: 07.09.2022

Hobni Bai and ors.

..Appellant (s)

Versus

State of Haryana and anr.

..Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present- Mr. Daljit Singh Virk, Advocate, Mr. Arpandeep Narula, Advocate, Mr. Dheeraj Naruja, Advocate, Mr. Amit Bansal, Advocate for Mr. S.K. Jain, Advocate, Mr. Deepak Jain, Advocate, Mr. Akshay Jain, Advocate, Mr. Munish Kamboj, Advocate, Mr. Manvinder S. Sidhu, Advocate, Mr. Sandeep Punchhi, Advocate, Mr. Ashok Verma, Advocate, Mr. Satbir Singh Gill, Advocate, Mr. P.S. Jammu, Advocate, Mr. Labhan Paul, Advocate for Mr. Jagjit Singh Gill, Advocate, Mr. Kartar Singh, Advocate, Mr. M.M Pandey, Advocate, Mr. Sushil K. Verma, Advocate, Mr. Lal Singh Sandhu, Advocate, Mr. Mandeep Sandhu, Advocate for Mr. Sanjiv Gupta, Advocate for the landowners.

Mr. Shivendra Swaroop, AAG, Haryana.

ANIL KSHETARPAL, J.

CM No.10866-CI of 2019

For the reasons mentioned in the application, which is supported by an affidavit, the application for bringing on record the legal representative(s) of Dina Nath (appellant No.2) is allowed, subject to all the just exceptions.

CM No.10867-CI of 2019

The prayer in this application is to condone the delay of 538 days in 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 538 days in filing the appeal is condoned, subject to the condition that the appellant(s) shall not be entitled to interest for the period of delay.

Main Case

For orders, see detailed order of the even date passed in **RFA No.4227 of 2019** titled as **Sukhdev vs. State of Haryana and anr.**

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

07.09.2022

(ANIL KSHETARPAL)

ashok

JUDGE

Whether speaking/reasoned : Yes Whether reportable : No