

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA No.241 of 2022 (O&M)

Date of decision: 23.05.2022

Smt. Kitabo Devi and ors.

..Appellant (s)

Versus

State of Haryana and ors.

..Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present- Mr. Sarvesh Malik, Advocate, Mr. N.C. Kinra, Advocate,
Mr. N.K. Malhotra, Advocate, Mr. Kulvir Narwal, Advocate,
Mr. S.R. Hooda, Advocate, Mr. Sudhir Hooda, Advocate,
Mr. Parveen Kaushik, Advocate, Mr. Kamal Mor, Advocate,
Mr. S.K. Sharma, Advocate, Mr. Saurabh Dalal, Advocate,
Mr. Surinder Gaur, Advocate, Mr. M.S. Rana, Advocate,
Mr. Sanjeev K. Aggarwal, Advocate, Mr. Ojas Bansal, Advocate,
Mr. Tejas Bansal, Advocate, Mr. Anil Dutt, Advocate for
Mr. S.P. Khatri, Advocate for the landowners.

Mr. Shivendra Swaroop, AAG, Haryana and
Ms. Vibha Tewari, AAG, Haryana.

Mr. P.S. Saini, Advocate for HSIIDC.

ANIL KSHETARPAL, J.

CM No.493-CI of 2022

The prayer in this application is to condone the delay of 687 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 687 days in filing the appeal is condoned, subject to the condition that the appellants 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.3149 of 2018** titled as **Jaipal and ors. vs. State of Haryana and ors.**

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

23.05.2022

ashok

(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned : Yes Whether reportable : No