

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

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RFA-3092-2018(O&M)
Date of decision: 21.07.2022

MUKESH KUMAR GUPTA AND ANR
Versus

..Appellants

STATE OF HARYANA AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashok Kaushik, Advocate
for Mr. Tushar Gautam, Advocate
for the appellants.

Ms. Vibha Tewari, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

CM-6790-CI-2018

The prayer is to condone the delay of 977 days in filing the appeal. The Reference Court by a common award dated 06.04.2015, decided the cases filed under Section 18 of the Land Acquisition Act, 1894. Various other owners preferred appeals which were decided on 10.12.2015 while delivering judgment in Regular First Appeal No.1255 of 2014, titled as “Mukesh Kumar Vs. State of Haryana and other”, as the lead case. The appeals filed by the landowners were dismissed. The aforesaid other landowners filed appeals before the Supreme Court in which there was some enhancement in the amount. The Supreme Court decided the matter on 08.11.2017, whereas, the present appeal has been filed on 14.03.2018. It has been stated that when the appellants went to the Land Acquisition Collector for receiving the enhanced compensation then they came to know that no appeal was preferred then before the High Court. In fact, the High Court has never enhanced the compensation for the compulsory acquisition of the land.

The appellants do not claim that they ever filed any appeal before the

Supreme Court. The appellants have failed to furnish any plausible explanation seeking condonation for a huge delay of nearly 2 and half years. It is not in dispute that all the connected appeals came to be decided on 10.12.2015, whereas, this appeal was filed in the month of March, 2018.

Hence, the application for condoning the delay is dismissed.

Consequently, the appeal is also dismissed.

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

July 21st, 2022

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**(ANIL KSHETARPAL)
JUDGE**

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>