

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

RFA No.238 of 2020 (O&M)

Date of decision: 11.11.2022

Kako (since deceased) through her LRs and others

...Appellant(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. P.K. Ganga, Advocate
Mr. Jagjit Singh Gill, Advocate
Mr. Khushman Dandaiwal, Advocate
Mr. J.S. Thind, Advocate
Mr. Balsher Singh, Advocate
Mr. Ajay Sharma, Advocate
Mr. K.S. Godara, Advocate
Mr. S.K. Jain, Advocate
Mr. Deepak Jain, Advocate
Mr. Akshay Jain, Advocate
Mr. Dheeraj Narula, Advocate
for the landowners.

Mr. Shivendra Swaroop, A.A.G., Haryana.

ANIL KSHETARPAL, J.

CM-527-CI-2020

The prayer in this application is to condone the delay of 665 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 665 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.

CM-528-CI-2020

For the reasons mentioned in the application, which is supported by an affidavit, the application for bringing on record the legal representative of Kako (appellant No.1) is allowed, subject to all the just exceptions.

RFA-238-2020

For orders, see order of even date passed in **Regular First Appeal No.1509 of 2018**, titled as **Krishan Kumar and Anr. Vs. State of Haryana and Anr.**

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

11.11.2022
Sachin M.

(ANIL KSHETARPAL)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No