

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

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**CM-2096-CI-2020 in/and
RFA-894-2020 (O&M)
Date of decision: 07.12.2022**

RAMPHAL AND ORS.

..Appellants

Versus

STATE OF HARYANA AND ORS.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Shilak Ram Hooda, Advocate
for the appellants.

Mr. Shivendra Swaroop, AAG, Haryana.

Mr. Arun Gosain, Sr. Govt. Counsel
for Union of India.

ANIL KSHETARPAL, J(Oral)

This appeal has been filed along with an application for condonation of delay of 2019 days in filing the first appeal. A common award was passed by the Reference Court on 01.02.2014 while deciding as many as 42 reference petitions under Section 18 of the Land Acquisition Act, 1894. Various other landowners who are the co-villagers of the appellants filed appeals seeking the enhancement of the compensation in the High Court in the year 2014 itself, which were decided on 16.02.2016. As per the case of the applicants, they came to know of the award passed by the Reference Court on 01.02.2014 when they approached their counsel but they applied copy of the said award on 16.07.2019 only. The reasons for delay have been specified in para 2 of the application, which reads as under:-

“That impugned award was not pronounced in the presence of the applicants/appellants hence they could not know about the passing of the impugned award and when the other land owners of the village whose lands had also been acquired started talking of filing appeal in the Hon'ble High Court then the applicants/appellants

came to know that award had already been passed and then they approached their counsel before reference court on 01.02.2014 and they applied for the copy of award 16.07.2019 and thereafter the applicants/appellants after receiving the copy of the award approached the counsel for filing the appeal hence the delay occurred. In fact the limitation in the present case would be reckoned from the date of knowledge i.e. 15.07.2019 and in this view of the matter there is no delay. The other many RFAs arisen out of the same Award are lying decided in this Hon'ble High Court. One such Appeal is RFA No.3397/2014 titled as Kartar Singh and others Vs. State of Haryana & Ors., and the present case can be heard alongwith aforesaid appeals."

There is no particular reason whatsoever for the delay of nearly five and a half (5 ½) years between their coming into knowledge about the decision of the Reference Court and filing application for getting copy of the award particularly when the appeals filed by the various other co-villagers were decided on 16.02.2016.

The attention of the Court has not been drawn to any other connected appeal pending for enhancement of the amount.

Keeping in view the aforesaid facts, the applicants have failed to furnish any plausible explanation for seeking the condonation of such colossal delay of 2019 days.

Consequently, the application for condonation of delay as well as the appeal is dismissed.

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

December 07th, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*