

**RFA-2627-2021 (O&M)
and connected case**

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**307-1 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

1.RFA-2627-2021 (O&M)

Rai Singh

....Appellant

Versus

State of Haryana and others

..Respondents

2.RFA-146-2022 (O&M)

Rajender and others

....Appellants

Versus

State of Haryana and others

..Respondents

Date of decision: 06.07.2022

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sandeep Thakan, Advocate for
Mr. Karan Singh, Advocate for the appellants

Mr. Shivendra Swaroop, AAG, Haryana

ANIL KSHETARPAL, J (Oral)

By this order, two Regular First Appeals i.e RFA-2627-
2021 and RFA-146-2022 shall stand disposed of.

CM-5925-CI-2021 in RFA-2627-2021

For the reasons stated in the application, delay of 74 days in
re-filing the appeal is condoned.

CM stands allowed.

CM-276-CI-2022 in RFA-146-2022

For the reasons stated in the application, delay of 22 days in

re-filing the appeal is condoned.

CM stands allowed.

Main cases

The prayer is to condone the delay of 2168 days (CM-5924-CI-2021 in RFA-2627-2021) and 2223 days (CM-274-CI-2022 in RFA-146-2022) in filing the present appeals. The reason pleaded for condoning the delay is identical in both the appeals.

Para 2 of the application (in RFA-146-2022), in which reason has been pleaded is extracted as under:-

“2. That the present appeal is filed against the award dated 20.09.2013 passed by Ld. Additional District Judge, Fatehabad. The appellants are the villagers and were not award about technicalities regarding the limitation of filling of appeal. Therefore, the delay of 2223 days in has been occurred in filing the present appeal and the same is not intentional and not deliberate.”

The appellants were represented by the learned counsel before the Reference Court. The Reference Court decided as many as 28 petitions by a common award. The acquired land is located in three adjoining villages namely Jandwala, Ramsara and Gadli. The appellants in both the appeals are residents of Village Ramsara. There were a large number of petitions filed by the residents of Village Ramsara. The other landowners filed the appeals within the prescribed time (**RFA-4584-2015 decided on 29.10.2015 titled as Seema vs. State of Haryana and others**). The appellants did not wake up from their deep slumber though the appeals filed by various other villagers were decided in the year

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2015. The appellants applied for certified copy of the award passed by the Reference Court in February, 2018, which was issued whereas these appeals have been filed on 21.01.2020. Thus, the appellants have failed to disclose any plausible reason for condoning the colossal delay of 2168 days (in RFA-2627-2021) and 2223 days (in RFA-146-2022).

Hence, dismissed.

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

06.07.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

**(ANIL KSHETARPAL)
JUDGE**