

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

(255)

CR-2820-2019**Date of Decision: 12.07.2023**

Fajru and anr.

.....Petitioners

Versus

Narayan Devi

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ashish Gupta Advocate, for the petitioner.

HARKESH MANUJA, J.(ORAL)

1. By way of present revision petition, challenge has been made to an order dated 05.03.2019 (Annexure P-2) whereby, the evidence of the petitioners was closed by Court order in a reference filed at their instance under Section 30 of the Land Acquisition Act, 1894 (hereinafter referred to as “the Act”).
2. Learned counsel for the petitioners submits that the evidence of the petitioners commenced on 06.02.2018 and was closed vide order dated 05.03.2019. Learned counsel further submits that reference under Section 30 of the Act, involves substantial rights of the parties and petitioners will suffer an irreparable loss and injury in case the impugned order is allowed to stand and the petitioners are not afforded opportunity to lead their evidence.
3. From a perusal of the record, though, no sufficient cause is made out in favour of the petitioners, however, considering that the reference is still pending at the stage of recording of respondent evidence, purely in the interest of justice as the reference under Section 30 of the Act relates to apportionment of compensation involving substantial rights of the petitioners, they are granted two effective opportunities so as to conclude their evidence merely to

further the cause of justice. The aforesaid opportunities shall however, be subject to cost of Rs.20,000/- as a condition precedent, to be paid to respondent. It is made clear that the present revision has been disposed of without issuance of notice to the respondent so as to avoid further delay in disposal of the main reference pending before the Court below and also to save respondent from the burden of unnecessary litigation expenses.

4. In view thereof, the present revision petition is disposed of.

(HARKESH MANUJA)
JUDGE

12.07.2023
anil

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