

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

LPA-826-2022 (O&M)

Date of Decision: 13.03.2023

Hardayal Singh @ Dayal Singh and others

.....Appellants

Vs.

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA
HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Mohd. Yousaf, Advocate,
for the applicants-appellants.

G.S.SANDHAWALIA, J. (ORAL)

CM-1963-LPA-2022

By this application, the applicants-appellants seek condonation of delay of 9 days in re-filing the appeal.

In view of the averments made in the application, which is duly supported by an affidavit of the clerk of the counsel for the appellants, the application is allowed and the delay of 09 days in filing the accompanying appeal is hereby condoned.

CM-1965-LPA-2022

Application for exemption is allowed, as prayed for.

CM-1964-LPA-2022

This application has been filed for impleading the legal representatives of deceased-appellant No. 6 (Mukhtiar Singh), who is stated to have died on 08.05.2015 during the pendency of this petition.

The details of the legal representatives of the abovesaid appellant No. 6 (Mukhtiar Singh) have been mentioned in paragraph No. 2

of the application and there is no other legal representatives.

Accordingly, in view of the averments made in the application, which is duly supported by an affidavit of appellant No. 5 (Darshan Singh), the application is allowed, subject to all just exceptions and the persons whose names are mentioned in paragraph No. 2 the application, are ordered to be impleaded as the legal representatives of appellant No. 6 (Mukhtiar Singh), only for the purpose of pursuing the present appeal. Amended memo of parties is taken on record.

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Learned Single Judge has repelled the challenge made by the appellants whereby the claim for payment of compensation was sought on account of the land being used for construction of a metalled road without paying any compensation. The learned Single Judge noticed the fact that there was a delay of around 65 years as the respondent-department was in possession of the land since 1951-52. However, liberty was given to seek appropriate remedy, if so advised.

Learned counsel for the appellants submits that in view of the said liberty given, he does not wish to pursue the present appeal.

Accordingly, the same is disposed of in view of the said statement of the counsel.

(G.S. SANDHAWALIA)
JUDGE

March 13, 2023
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether Reportable	No