

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

CM-959-CI-2024 in/and RA-RF-122-2019 (O&M) in RFA-7251-2014

Date of decision : 10.05.2024

Nihal Singh Bhalla

.....Applicant/Appellant

Versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA, ACTING CHIEF JUSTICE

Present: Mr. Varun Baanth, Advocate,
for the applicant-appellant.

Mr. Deepak Balyan, Addl. Advocate General, Haryana.

G.S. SANDHAWALIA, ACTING CHIEF JUSTICE (Oral)

CM-959-CI-2024

The application has been filed by the appellant for restoration of the review application (RA-RF-122-2019), which was dismissed for want of prosecution on 05.04.2024.

For the reasons stated in the application, duly supported by an affidavit of the counsel, the application is allowed.

Resultantly, the order dated 05.04.2024 dismissing the review application is re-called and the review application is restored to its original number and is taken up on Board today itself.

RA-RF-122-2019 in RFA-7251-2014 (O&M)

1. This review application has been filed by the appellant seeking review of the order dated 01.11.2019 passed in RFA-7251-2014.

2. A perusal of the review application would go on to show that it has been pleaded by the appellant that his plot, which was acquired, was

situated in a residential colony in village Choma. The said colony had built up coverage of more than 50% and had proper roads, parks, state provided electrification and all other basic amenities till the date of acquisition. However, neither the reference application has been placed on record in support of his averment nor the learned counsel for the applicant – appellant could point out as to whether the appellant – landowner as such had appeared as a witness in support of his case that the acquired land was in the form of a residential plot and, therefore he was entitled for higher compensation.

3. In such circumstances, once the matter was decided as part of large number of references, the absence of the applicant – appellant before the Reference Court or not putting forth his case when this Court decided the first appeal, no case for review of the order dated 01.11.2019 is made out.

4. Accordingly, the review application is dismissed.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

May 10, 2024
ndj

Whether speaking/reasoned	Yes
Whether reportable	No