



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

**Reserved on 6th of August, 2025
Pronounced on 4th November, 2025**

RSA No.959 of 2019 (O&M)

Verinder and Vikram Singh HUF, Karta Vikram SinghAppellant

Versus

The Collector, Karnal and others ...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Vikram Singh, Advocate
for the appellant.

Mr. Rajiv Malhotra, DAG, Haryana
for respondents No.1 and 2.

None for the respondent No.3.

PANKAJ JAIN, J.

CM No.2208-C of 2019

This is an application filed under Section 151 CPC seeking
condonation of delay of 203 days in re-filing the instant appeal.

For the reasons recorded in the application, this Court is
satisfied that the applicant/appellant has made out a sufficient cause for
condonation of delay.



Consequently, the present application is allowed. The delay of 203 days in re-filing the instant appeal is hereby condoned.

RSA No.959 of 2019 (O&M)

Plaintiff is in second appeal. For convenience, the parties hereinafter are referred to by their original position before the Court of the First Instance i.e., the appellant as plaintiff and the respondents as defendants.

2. Plaintiff filed suit seeking decree of declaration making prayer to incorporate family agreement dated 20.01.2002 in the revenue record. Further prayer made was that the defendants be restrained from creating any change in the suit property.

3. It has come on record and is not denied that the land stands acquired by State of Haryana vide Notification dated 27.04.2006 issued under the Land Acquisition Act, 1894 for HSIDC. At the time of acquisition, late Verinder Singh was recorded as owner of land measuring 5 Acres 2 Kanals and 18 Marlas. It is not disputed that after acquisition, land stands transferred in the name of State of Haryana. A compensation amount of Rs.1,22,43,002/- has been awarded vide Award dated 23.04.2009. 1/3rd amount of compensation i.e., Rs.40,81,001/- stands disbursed to Vikram Singh. The acquisition proceedings are not under challenge.



4. It is in these circumstance that the Courts below while dismissing the suit granted liberty to the plaintiff to challenge the land acquisition proceedings before competent Court of law. The appellant along with the present appeal has filed application under Order XLI Rule 27 CPC seeking permission to lead additional evidence to prove the nature of the land to be ancestral. By way of application filed under Order XLI Rule 27 CPC, the appellant wants to tender in evidence certified copies of revenue record pertaining to the land left by Suvinder Singh and Inder Singh in Pakistan in lieu of which the present land has been allotted.

5. In the considered opinion of this Court, the evidence sought to be brought on record by way of additional evidence invoking Order XLI Rule 27 CPC has no bearing on the adjudication of the present case. The acquisition of land is not disputed. As per the mandate of statute, the land vests in State of Haryana after compensation stands awarded and disbursed to the appellant. In case, the plaintiff is aggrieved of the award in terms of record of rights and claims that the entry in the record of rights was not correctly reflected, he needs to challenge the same or the acquisition proceedings.

6. In the light of the aforesaid circumstance, no fault can be found with the judgment and decree passed by the Courts below granting plaintiff liberty to challenge the acquisition proceedings, in accordance with law.



7. Resultantly, finding no merit in the present appeal, the same is ordered to be dismissed.

November 04, 2025

(Pankaj Jain)
Judge

Dpr

Whether speaking/reasoned : Yes
Whether reportable : No