IN THE HIGH COURT OF PANJAB AND HARYANA AT CHANDIGARH

R.F.A. No. OF 2017

Rajiv and another ----------- -------Appellants

Versus

State of Haryana and another ---------Respondent

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Total Rs.118/-

Note : Any Caveat petition has been filled or not : No.

**Any other case :** Similar R.F.A.no. 3905 of 2017 titled Raj Singh v/s State of Haryana and another connected RFA from the same Notification U/S 4 of the L.A Act.1894 have been decided on 5.12.2017

CHANDIGARH  **(SURESH AHLAWAT)**

**ADVOCATE**

**DATED 18.12.2017** COUNSEL FOR THE APPELLANTs

IN THE HIGH COURT OF PUNJAB & HARYANA AT

  CHANDIGARH

C.M. No. …………of 2017

                                                         IN

  R.F.A.No. of 2017

Rajiv and another ……….Appellants

                                                Versus

State of Haryana and another… ……….…Respondents

Application U/s 151 of C.P.C. for disposal of the above R.F.A. in terms of order/judgment dt. 27.10.2017 (Annexure A-1) passed by the Hon’ble Supreme Court of India in Civil appeal No. 2846 of 2017 and many other connected Civil Appeals titled Bijender and others v/s State of Haryana and another arising from the same land acquisition notification .

**Respectfully Showeth:-**

1.                  That the appellant have filed the above noted appeal in this Hon,ble High Court against impugned award dated 17.12.2013 passed by the Ld Reference Court Jind .

2.                  That the above noted appeal is squarely covered by the Judgment/order dated 27.10.2017 passed by the Hon’ble Supreme Court of India in Civil appeal No. 2846 of 2017 and many other connected civil appeals titled Bijender and others v/s State of Haryana and another arising from the same land acquisition notification as that of the appellants . In case, the application of the appellants is not allowed at the earliest then the appellants will suffer irreparable loss and injury and injustice would be caused to the appellants. Moreover, it will also saved the precious time of this Hon,ble Court which is already burdened with heavy pendency of the work/cases , therefore, the present appeal deserves to be disposed of in the terms of the above said judgment dated 27.10.2017 passed in the above noted appeal.

                 It is, therefore, respectfully prayed that the present application may kindly be allowed and the above mentioned RFA may kindly be decided in terms of judgment dated 27.10.2017, annexure A-1 passed by the Hon’ble Supreme Court of India in Civil appeal No. 2846 of 2017 titled Bijender and others v/s State of Haryana and Another and in other connected civil appeals in the interest of justice.

Chandigarh                                 (SURESH AHLAWAT)

Date:  18.12.2017                              Advocate

Counsel for appellants

IN THE HIGH COURT OF PUNJAB & HARYANA

AT  CHANDIGARH

C.M. No. ………………./2017

                                                      IN

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Rajiv and another    ……………. ……….Appellants

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Application under section 5 of the Limitation Act for condonation of delay of  **days** in filing the appeal.

**Respectfully Showeth:-**

1. That the applicants/appellants is filing the accompanying appeal in this Hon,ble High Court and the same is likely to be allowed on the grounds taken therein.
2. That the appellants is simplicitor and rustic villager is not having any intricate knowledge about the Hon,ble High Court and do not know much about the court procedure especially the law of limitation. Now, the appellants has come to know from the co-villagers in the second week of December ,2017 that the above said matter has decided by the Hon.ble Supreme Court vide its order dated 27.10.2017 and compensation has been enhanced and awarded a compensation of Rs. 45 lacs per acre from Rs. 33 lacs per acre along with other statuary benefits to the land owners.
3. That on inquiry from the land Acquisition Collector , it was also informed by the officials that the enhanced compensation shall be given only those land owners who have filed the appeal in this Hon,ble Supreme Court and their appeal have been allowed . After coming to know this, the appellants have approached their counsel at lower court and collected the documents of this case through their counsel .
4. That after collecting all relevant documents from their counsel and arranging the amount to meet with the expenses for filing the appeal and payment of counsel fees. They have contacted the present counsel on 16.12.2017 for filing the appeal in this Hon,ble Court against the award dated 17.12.2013. However, it was informed by the present counsel that the appeal had already become barred by limitation. But on the instructions of the appellants, the present appeal was prepared and is being filed in this Hon,ble High Court. In this way , delay of  **days** has been occurred in filing appeal.
5. That the above said delay in filing the appeal is neither intentional nor willful or deliberate but the same has been caused in view of the facts and circumstances stated herein above.
6. That if the above said delay is not condoned , then the appellants shall suffer irreparable loss and injury.

It is therefore, respectfully prayed that this Hon,ble Court may be pleased to condone a delay of  **days** in filing the appeal, in the interest of justice,

Chandigarh                                  (SURESH AHLAWAT)

Date:  18.12.2017                               Advocate

Counsel for appellants