

CMP No.887 of 2026 in RFA No.22 of 2016

07.01.2026 Present: Mr. B.N.Mehta, Advocate, for the non-applicant/
appellant.

Mr.Manoj Chauhan, Additional Advocate General for
the applicants/respondents/State.

CMP No.887 of 2026

Notice. Mr. B.N. Mehta, Advocate, accepts notice on
behalf of the non-applicant/appellant. He prays for and is granted
four weeks' time to seek instructions in the matter.

As prayed for, list on **27.02.2026**. Records be
requisitioned forthwith.

It has been mentioned in the application that the
non-applicant/appellant had made mis-leading averments before
this Court and filed an appeal against the order dated
29.11.2012, which was in fact passed by the Land Acquisition
Collector, Shimla and not by the learned District Judge, Rampur
and the non-applicant/appellant, throughout pendency of the
appeal, mislead this Court and did not bring the said fact to the
notice of this Court, which has resulted into passing of judgment
dated 23.12.2025, as there is no reference and no application
under Section 5 of the Limitation Act pending before the learned
District Judge, Rampur. Therefore, the direction as passed by
this Court in its order dated 23.12.2025 is not executable and the
order is required to be recalled/reviewed.

Hence, in view of the above, the judgment dated 23.12.2025, passed by this Court in the main appeal (RFA No.22 of 2016) shall be kept in abeyance till further orders.

(Sushil Kukreja)
Judge

January 07, 2026

(V.Himalvi)