



Sr. No. 392022:JKLHC-JMU:6948

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

CONC No. 54/2016

Collector Land Acquisition
Rajouri

.... Petitioner/Appellant(s)

Through:- Ms. Sagira Jaffar, Advocate Vice
Mrs. Monika Kohli, Sr. AAG

V/s

Ghulam Nabi

.....Respondent(s)

Through:-

CORAM: HON'BLE MR. JUSTICE VINOD CHATTERJI KOUL, JUDGE

ORDER

23.10.2024

1. To challenge the award passed under Section 18 of the Land Acquisition Act, the respondents/appellant herein filed an appeal and since the appeal was barred by limitation, they have filed an application seeking condonation of delay. While the application seeking condonation of delay was pending, respondent Ghulam Nabi has died.
2. The application has been filed by the appellant i.e. CM No. 5360/2024, with the prayer for brining on record the legal representatives of deceased respondent Ghulam Nabi. The communication has been placed on record which has been forwarded by SDM Thanamandi to the Collector Land Acquisition (Assistant Commissioner Revenue) Rajouri, about the death of the respondent and in the said communication, the date of death of said respondent has been given as 03.06.2021 and the said communication also contain the names of the family members. The said communication has been addressed vide No. SDM/R/TMD/310 dated 29.08.2024.



2022:JKLHC-JMU:6948

3. The information of the death as per the appellant has come to the knowledge by virtue of the said communication and the application has been filed on 05.09.2024 i.e. well within time.
4. Since the application seeking substitution of the legal representatives has been filed within time limit, calculated from the date when the petitioner came to know about the same vide communication dated 29.08.2024, the application, as such, is allowed and legal representatives of the deceased are substituted in the application seeking condonation of delay.
5. Learned counsel for the appellant shall provide updated memo of parties with the Registry within one week.
6. Application bearing CM No. 5360/2024 is **disposed of** accordingly.
7. Let fresh notices be issued to legal representatives for their appearance and for filing response. Notices be sent through registered posts, for which, appellant shall take steps within two weeks.
8. List on 14.02.2025.

(VINOD CHATTERJI KOUL)
JUDGE

Jammu:

23.10.2024

Vishal