

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2012

(CC 11517/2012)

(From the judgement and order dated 25/01/2011 in RFA No.5604/2009,RFA No.845/2011 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

DEFENCE ESTATES OFICER

Petitioner(s)

VERSUS

DALIP & ORS.

Respondent(s)

With I.A.1 (C/delay in filing SLP)

Date: 16/07/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr.A.S.Chandyog, ASG
Mrs.N.Annapoorani, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

The delay in filing the special leave petition is condoned because the cause shown by the petitioner for not filing the petition within the prescribed period of limitation is sufficient. However, on merits, we do not find any valid ground or justification to entertain the petitioner's challenge to the impugned order vide which the High Court declined to recall order dated 14.12.2010.

In our view, the award passed by District Revenue Officer - Land Acquisition Collector under Section 28A was legally correct and, even if, the High Court was to decide the appeal on merits, there would have been little justification to interfere with the award because the same was based on an earlier judgment in LA Case No.66/1992 titled 'Rajinder Singh and another v. State of Haryana' passed in relation to the same very acquisition and the petitioners are not shown to have challenged that award.

The special leave petition is accordingly dismissed.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master