



CMP(M) No. 219 of 2021

06.04.2021 Present: Mr. Prince Chauhan, Advocate vice Mr. Rahul Mahajan, Advocate, for the applicant/appellant.
Mr. Sunny Dhatwalia, Assistant Advocate General, for respondents No. 20 and 21.

CMP(M) No. 219 of 2021

This application has been filed for condonation of delay in filing the appeal.

Certified copy of award was applied on 12.6.2019, which was ready and completed for delivery on 8.7.2019 and received on 29.7.2019. Thereafter the copy of award was forwarded by learned counsel to the Deputy Chief Engineer Construction (I), Northern Railways, Chandigarh, who had further forwarded it to Law Branch of applicant/appellant for approval/opinion as to whether the appeal against impugned award should be filed or not.

The Law Department had returned the matter for seeking opinion of learned counsel for the applicant/appellant representing it before the Reference Court and after getting the opinion of Advocate, matter was again forwarded to Law Branch, whereafter decision to file appeal was taken.

On nomination of present counsel as an Advocate for filing an appeal, the decision was communicated to counsel 16.10.2019, who, in turn, had informed the applicant/appellant/Deputy Chief Engineer that court fee was also to be affixed on the difference of amount of compensation award by the Reference Court and Land

Acquisition Collector (Railways), Una and thereafter necessary amount of Court fee was arranged after sending the proposal of filing appeal to Head Office at Delhi for sanctioning the amount to be affixed as court fee in this appeal and other connected appeals.

Necessary sanction was accorded by the Head Office on 20.1.2020. However, amount was given to applicant/appellant on 16.10.2020, as since March, 2020 there was COVID-19 pandemic spreading in the country and thereafter there was complete lockdown in entire country.

Considering the entire facts and circumstances of the case, averments made in the application and submission made by learned counsel, I find that there is sufficient cause which prevented the applicant/appellant from filing appeal within time and thus delay in filing the appeal is condoned. Appeal be registered.

Application stands disposed of.

RFANo. (RFAST No. 36603 of 2020)

Admit.

Post admission notice to respondents No. 1 to 19, returnable on **3rd June, 2021** be issued, on taking steps within one week.

Mr. Sunny Dhatwalia, learned Assistant Advocate General, appears and waives service of notice on behalf of respondents No. 20 and 21.

CMP No. of 2021 (CMPST No. 36605 of 2020)

Heard. Subject to deposit of entire awarded amount along with up-to-date interest in the Registry of this Court within eight weeks

from today, award dated 11.06.2019 passed by learned District Judge(I) Una, Circuit Court at Amb, District Una is stayed during pendency of appeal. Alteration, vacation and modification on motion.

Application stands disposed of.

April 06, 2021
(ms)

(Vivek Singh Thakur)
Judge