



**LAC Vs. Hans Raj**  
**CMP(M) No. 390 of 2021**

**13.04.2022 Present:** Mr. Dinesh Thakur and Mr. Sanjeev Sood, Additional Advocate Generals with M/s Amit Dhumal, Deputy Advocate General and Sunny Datwalia, Assistant Advocate General, for the applicant/appellant.

Mr. R.K. Sharma, Senior Advocate, with Mr. Arun Kumar, Advocate, for newly added respondents No.1(a) to 1(f).

**CMPs(M) No.1249 of 2021 & 1250 of 2021**

By way of these two applications, a prayer has been made to bring on record the legal representatives of Sh. Hans Raj, sole respondent, who is stated to have died during the pendency of the Reference Petition itself.

Proposed legal representatives of deceased respondent, namely, Sh. Hans Raj, stand served. Mr. Arun Kumar, Advocate, has put in appearance on behalf of the said proposed legal representatives and on his instructions Mr. R.K. Sharma, learned Senior Advocate has also appeared on their behalf.

Learned Senior Counsel appearing for the proposed legal representatives submits that the application may be allowed, as prayed for, and delay in filing the application is condoned and abatement is ordered to be set aside.

Having learned counsel for the parties and after perusing the averments made in the applications, the same are allowed, as prayed for, and proposed legal representatives of deceased respondent, are ordered to be substituted as respondents No.1(a) to 1(f) in place of deceased-respondent.

Delay in filing the application is condoned and abatement is also ordered to be set aside. The applications stand disposed of.

**CMPST No. 37850 of 2020**

By way of this application, a prayer has been made to implead the Principal Secretary IPH as appellant.

Having heard learned counsel for the applicant and after perusing the averments made in the application, the same is allowed, as prayed for. The Principal Secretary, IPH to the Government of Himachal Pradesh is ordered to be impleaded as appellant in the present appeal. Application stands disposed of.

**RFAST No. 37847 of 2020**

**RFA of 2022**

Be registered. Heard.

**Admit.** Post admission notice. Mr. Arun Kumar, Advocate, accepts notice on behalf of the newly added respondents and on his instructions, Mr. R.K. Sharma, learned Senior Advocate has also appeared on their behalf. List in due course. Record be called for.

**CMPST No. 37851 of 2020**

This application is disposed of with the direction that in the event of the applicant depositing entire award amount with up-to-date interest with the Registry of this Court within a period of eight weeks from today, the operation of the impugned award dated 30.04.2013 and corrected award dated 16.07.2019, passed by the Court of learned Additional District Judge (I), Kangra at Dharamshala, H.P., in Reference Case RBT No.

141-J/2010, titled as Sh. Hans Raj Vs. Land Acquisition Collector, Shah Nahar Project, Fatehpur, shall remain stayed. It is clarified that in case the award amount with up-to-date-interest is not deposited within the same period then the pendency of this appeal shall not come in the way of the respondent for execution of the award under challenge.

April 13, 2022  
(*Vinod*)

**(Ajay Mohan Goel)**  
**Judge**