



Dharam Pal and others vs. Land Acquisition Collector and others

CMP(M) No.504 of 2021

04.01.2024 Present: Mr. V.S. Chauhan, Senior Advocate with Mr. Arsh Chauhan, Advocate, for the applicants/ appellants.
Mr. Y.P.S. Dhaulta, Additional Advocate General, for respondents No.1 to 3/State.
Mr. Parv Sharma, Mr. K.R. Kashyap and Ms. Vishali Lakhnupal, Advocates, for respondent No.4 and respondents No.5(a) to 5(i).

Learned counsel appearing on behalf the private respondents adopts the reply filed by the respondents/State. In the case at hand, there is a delay of about 02 years and 11 months in filing the present appeal.

From perusal of the present appeal, it is evident that sufficient cause has been shown with respect to the delay in filing the present appeal. Further, perusal of the reply so filed by the respondents/State reflects that the State has conceded that the delay in filing the appeal is neither intentional nor willful, but due to the *bona fide* reasons given in the application.

Since the private respondents have adopted the reply so filed on behalf of the respondents-State, the present application is allowed. Delay in filing the appeal is condoned. Even otherwise, in the case at hand, the demand of substantial justice requires that technicalities of procedural laws need to be condoned.

In the case at hand, the controversy primarily pertains to apportionment of the share *inter se* appellants and private respondents.

Application stands disposed of.

RFA No. /2024

Be registered.

Admit.

Call for the records.

List in the **month of March, 2024.**

January 04, 2024 (KS)

**(Bipin C. Negi)
Judge**

High Court of H.P.