

Dina Nath v. State of Punjab

Present; Shri Vikramjit Singh Rai Proxy counsel for Shri DS Kahlon
Advocate counsel for applicant
Shri Vivek Puri, Additional Public Prosecutor for State.
Shri Madan Lal Patiwari for respondents no.2 and 3

The application was filed before District Sessions Judge, Gurdaspur for tracing out land Acquisition cases No.340/RBT 325 of 1996-97 on the ground that originally the matter was decided by U.S. Gera on 26.05.1997 and the compensation was enhanced to Rs.1000/- per marla. Matter was decided in regular first appeal by the Hon'ble Punjab & Haryana High Court and the Hon'ble Punjab & Haryana High Court was pleased to remand back the case in view of the common order passed in connected RFA No. 1927 of 1992 and it is further mentioned in the application that the Hon'ble Court of Shri Fateh Deep Singh, the then Additional District Judge, Gurdaspur vide judgment dated 31.03.2001 disposed of the matter but left the case of the applicant undecided and which it was prayed that the application may kindly be allowed and record be traced out.

This court had earlier directed to find out if any application was moved in compliance to the order of the Hon'ble Punjab & Haryana High Court for deciding the matter before Additional District Judge, Gurdaspur but the same is not on record. It appears that instead of filing an application for deciding the matter in terms of the order of the Hon'ble Punjab & Haryana High Court after explaining the 18 years delay clever devise stand has been adopted to file an application for tracing of the record, which was never missing. The petition is highly belated, therefore the same stand dismissed. File be consigned to record room.

Dated: 12.10.2018
Simranjeet Singh
Stenographer-II

(Rakesh Kumar Sharma)
Additional District Judge
Pathankot/UID0133