

RFA No. _____ of 2018

28.02.2018

Present: Mr. S.C. Sharma, Mr. Narinder Guleria and Mr. Nand Lal Thakur, Addl. A.Gs and Mr. Kunal Thakur, Dy. A.G for the applicants-appellants.

Mr. Rakesh Thakur, Advocate for the respondents.

C.M.P(M) No. 1495 of 2017

Having gone through the contents and the reasons stated in the application, I am satisfied that the delay of 358 days as occurred in filing the main appeal is neither intentional nor deliberate and rather stands satisfactorily explained. Being so, this application is allowed and the delay as occurred in filing the main appeal is condoned. The application stands disposed of.

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Admit.

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Heard. Learned Additional Advocate General submits that as per the record available with him, the enhanced amount of compensation has not been deposited so far. Since the legality and validity of the impugned award has been assailed before this Court in the main appeal, the disposal whereof may take slightly longer time, it would be in the ends of justice that the execution of the impugned award is stayed during the pendency of main appeal, subject to the condition that the enhanced amount of compensation

is deposited within six weeks from today. The application is accordingly allowed. Consequently, the execution of the impugned award during the pendency of the main appeal shall remain stayed. It is, however, made clear that in case the needful is not done within the stipulated period, this order shall stand vacated automatically. The application stands disposed of.

(Dharam Chand Chaudhary)
Judge

February 28, 2018
(naveen)