

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

**Arb. Case No.195, 196, 197, 198,
199,200, 201, 202, 203, 204, 317,
318, 319, 320, 323, 324, 325, 326,
327, 328, 329, 330, 331 & 336 of
2023**

Date of Decision: 12.06.2023

1. Arb. Case No.195 of 2023

Ses RamPetitioner.
Versus

Collector Land Acquisition, NHAI and othersRespondents.

2. Arb. Case No.196 of 2023

Ses RamPetitioner.
Versus

Collector Land Acquisition, NHAI and others ..Respondents.

3. Arb. Case No.197 of 2023

Manoj KumarPetitioner.
Versus

Collector Land Acquisition, NHAI and othersRespondents.

4. Arb. Case No.198 of 2023

Nisha ThakurPetitioner.
Versus

Collector Land Acquisition, NHAI and othersRespondents.

5. Arb. Case No.199 of 2023

James Christopher JohnsonPetitioner.
Versus

Collector Land Acquisition, NHAI and othersRespondents.

6. Arb. Case No.200 of 2023

Duglu RamPetitioner.
Versus

Collector Land Acquisition, NHAI and othersRespondents.

7. Arb. Case No.201 of 2023

Onkar SinghPetitioner.
Versus

Collector Land Acquisition, NHAI and othersRespondents.

8. Arb. Case No.202 of 2023

Rameshwar DuttPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

9. Arb. Case No.203 of 2023

VirenderPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

10. Arb. Case No.204 of 2023

Roshan SinghPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

11. Arb. Case No.317 of 2023

Ami Chand (deceased) through LRsPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

12. Arb. Case No.318 of 2023

Kamla DeviPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

13. Arb. Case No.319 of 2023

Munishar SuriPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

14. Arb. Case No.320 of 2023

Tek ChandPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

15. Arb. Case No.323 of 2023

ManpritPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

16. Arb. Case No.324 of 2023

Ramesh Chand @ Ramesh KumarPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

17. Arb. Case No.325 of 2023

Tara ChandPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

18. Arb. Case No.326 of 2023

Ravinder SinghPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

19. Arb. Case No.327 of 2023

Hari ChandPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

20. Arb. Case No.328 of 2023

Priyajit SinghPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

21. Arb. Case No.329 of 2023

Tara ChandPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

22. Arb. Case No.330 of 2023

Hukum ChandPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

23. Arb. Case No.331 of 2023

Mansa RamPetitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

24. Arb. Case No.336 of 2023

Ravinder Gir

.....Petitioner.

Versus

Collector Land Acquisition, NHAI and othersRespondents.

*Coram***Hon'ble Mr. Justice Sandeep Sharma, Judge.****Whether approved for reporting?¹**

For the Petitioner(s): Mr. Maan Singh, Advocate, in all the petitions.

For the Respondent(s): Ms. Shreya Chauhan, Advocate, for respondent-NHAI.

Mr. Rajan Kahol, Mr. Vishal Panwar & Mr. B.C. Verma, Additional Advocates General with Mr. Rahul Thakur, Deputy Advocate General for respondents-State.

Sandeep Sharma, Judge (Oral)

Since all the applications pertain to same issue, they were taken up together and are being disposed of vide this common order.

2. By way of these applications, a prayer has been made to extend the time for completion of arbitration proceedings pending before learned Divisional Commissioner, Mandi.

3. It is submitted in the applications that though the proceedings were started by learned Divisional Commissioner, Mandi, in the year **2017/2018** and the evidence etc., was recorded but due to COVID pandemic conditions, the delay in further proceedings of the

¹ Whether reporters of Local Papers may be allowed to see the judgment? Yes.

case was caused. As a result of aforesaid exigency, the docket of learned Divisional Commissioner, Mandi, is clogged with similar matters which are pending before such authority. On such grounds extension of time is sought.

4. The respondents though have filed replies, but there is no opposition to the prayer made in the application. The applications are duly supported by an affidavit. The record of the proceedings held by Divisional Commissioner, Mandi, has also been placed on record. From perusal of the reasons stated in the application as also the record of the learned Divisional Commissioner, Mandi, I am satisfied that the delay in completion of proceedings is neither intentional nor willful, but is on account of reasons, which were beyond the control of the learned Arbitrator as also the parties concerned.

5. Otherwise, parties are ad-idem that the issue at hand has been adjudicated by this Court in Arb. Case No. 44 of 2023, titled Nand Lal alias Nand Lal Vardhan Vs. Land Acquisition Collector and others, wherein provisions of Section 29A of the Act have been discussed in detail.

6. In view of this, all petitions are allowed. Time for completion of arbitration proceedings by learned Divisional Commissioner, Mandi, in Reference Petition Nos. 498 of 2018, 486 of 2018, 495 of 2018, 509 of 2018, 60 of 2018, 1249 of 2017, 1260 of 2017, 1139 of 2017 and 1155 of 2017 is extended by six months

from the date parties appear before the learned Arbitrator. Parties are directed to appear before learned Arbitrator on **26.6.2023**. The petitions are accordingly disposed of.

A downloaded copy of this order shall suffice for the learned Arbitrator to do the needful in terms thereof.

Sandeep Sharma
Judge

12th June, 2023
(Guleria)