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**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**RFA No. 1100 of 2023 (O&M)**

**Date of Decision: 28.11.2023**

Heera Lal

...Appellant

**Versus**

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Gulshan Nandwani, Advocate  
for the appellant – landowner.

Mr. Arun Beniwal, Sr. Deputy Advocate General, Haryana

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**HARKESH MANUJA, J.**

**CM-3228-CI-2023**

Prayer in the present application is for condonation of delay of 4401 days in filing the appeal.

Upon notice, no reply has been filed; however, learned State Counsel opposes the prayer made in the application.

I have heard learned counsel for the parties and gone through the contents of the application, which has been supported by the affidavit of appellant.

Concededly, the other similarly situated landowners pertaining to the same acquisition proceedings have already been held entitled for the modified/enhanced amount of compensation pertaining to the acquired land falling in same revenue estate to the tune of ₹ 4044/- per square yard, in view of judgment dated 29.01.2016 passed in ***RFA-3341-2011***, titled ***“Lala Ram Versus State of Haryana and others”***.

Based thereupon, applying the principles of parity, besides awarding of just and fair compensation and relying upon the decision of Hon'ble Supreme Court in case of ***"Ningappa Thotappa Angadi (Dead) through LRs Versus Special Land Acquisition Officer and Another"***, **2020 (19) SCC 599** as well as in view of the contents of application, the same is **allowed** and delay of 4401 days in filing the appeal is hereby condoned, subject to denial of interest for the delayed period in filing the appeal.

### **MAIN APPEAL**

Present appeal has been preferred under Section 54 of the Land Acquisition Act, 1894 (for short "the Act"), to modify the award dated 09.02.2011 passed by learned Additional District Judge, Rewari (**hereinafter to be referred as "Reference Court"**) seeking enhancement of compensation amount.

**[2]** Briefly, the facts are that in pursuance of Haryana Govt. Notification dated 06.01.2006 issued under Section 4 of the Act, followed by Notification dated 09.08.2006 issued under Section 6 thereof, land measuring 304.76 acres, situated in the area of **Village Rewari**, Hadbast No. 125, Tehsil & District Rewari, for development and utilization thereof as residential and commercial Sectors 6-7, Rewari, was acquired. The Land Acquisition Collector, Gurgaon (**for short "the Collector"**) vide Award No.25 dated 07.12.2006, assessed the market value of the acquired land @ @ ₹ 12,50,000/- per acre.

**[3]** Dissatisfied with the aforesaid Award, landowners / interested persons, including the present appellant, filed objections under Section 18 of the Act, which were decided vide award dated 09.02.2011 by Reference Court, whereby the market value of the acquired land pertaining was determined @ ₹ 1700/- per square yard, besides granting statutory benefits. Aggrieved thereof, the appellant preferred the present appeal.

[4] It may be mentioned here that the appeals preferred by some other landowners, were disposed off by this Court on 29.01.2016, lead case of which was **RFA No. 3341 of 2011**, titled “**Lala Ram Versus State of Haryana and others**”, thereby awarding / enhancing compensation @ ₹4044/- per acre alongwith all statutory benefits.

[5] It is contended by learned counsel for the appellant that present appeal is squarely covered with the judgment dated 29.01.2016 passed in case of **Lal Ram (supra)**, arising out of the same notification, vide which the land of appellant had been acquired.

[6] Learned State Counsel is not in a position to controvert the above factual position; however, opposes the payment of interest for the period, the appellant failed to approach this Court after the decision of Reference Court.

[7] I have heard learned counsel for the parties and gone through the paper-book.

[8] From the records, it is apparent that the present appeal is squarely covered with the judgment dated 29.01.2016 passed in case of **Lala Ram (supra)**, which is arising out of the same acquisition / Notification dated 06.01.2006 covering the same revenue estate of **Rewari**, whereby the landowners have been held entitled for the modified / enhanced amount of compensation. For reference, relevant paras of judgment dated 29.01.2016 passed in case of **Lala Ram (supra)** reads as under:-

“ The appeals filed by the land owners are partly allowed to the extent indicated above. **The land owners, in all these cases, are held entitled to receive the compensation @ Rs.4044/- per square yard for their acquired land, from the date of notification under Section 4 of the Act.** Besides this, the land owners shall also be entitled for all other statutory benefits available to them under the relevant provisions of the Act.

*Resultantly, with the observations made above, all these appeals stand disposed of, in the above-said terms, however, with no order as to costs. ”*

[9] Based upon the above, applying the principle of parity, besides award of just and fair compensation, the landowner / appellant being similarly situated is held entitled for grant of similar amount of compensation as has been awarded to other landowners vide judgment dated 29.01.2016 in case of ***Lala Ram (supra)***, alongwith all other statutory benefits and interest thereupon as provided under the Act, except payment of interest for the period the appellant did not approach this Court after passing of Reference Court's Award.

[10] **Disposed off** in the above terms.

[11] Pending application(s), if any, shall also stand(s) disposed off.

**November 28, 2023**

*'dk kamra'*

**( HARKESH MANUJA )  
JUDGE**

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|-------------------------------|-----|----|
| Whether Speaking / Reasoned : | Yes | No |
| Whether Reportable :          | Yes | No |