

**CM-3032-CI-2023 in/and RA-RF-238-2023
in RFA-1685-2009(O&M)**

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**¹¹⁶IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CM-3032-CI-2023 in/and
RA-RF-238-2023 in
RFA-774-2022 (O&M)
Decided on:-19.07.2023**

Navreet Singh

....Applicant..

VS.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Harsh Manocha, Advocate,
for the applicant.

Mr. Athar Ahmed, DAG, Punjab.

HARKESH MANUJA J.

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By way of present application, prayer has been made for
condoning the delay of 1947 days in filing the review application.

Notice of the application.

Mr. Athar Ahmed, DAG, Punjab, accepts notice on behalf of
respondent-State and submits that he does not intend to file reply to the
application.

Concededly, the other similarly situated landowners pertaining to
the same acquisition proceedings have already been held entitled for the
enhanced amount of compensation pertaining to the land situated in revenue
estate of Village Marauli Kalan/Marauli Khurd, Tehsil Kharar, District

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Roopnagar (now SAS Nagar), to the tune of Rs.10,46,742/- per acre.

Based thereupon and applying the principle of parity, besides grant of just and fair compensation, the landowner/applicant being similarly situated is entitled for grant of similar amount of compensation, however, without any payment of interest for the period he failed to approach this Court after the decision of Reference Court. In this regard reliance can be placed 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.

In view of the discussion made hereinabove as well as contents of the application, the same is allowed and delay of 1947 days in filing the review application is hereby condoned.

Review application

1. Prayer in the present application is for review of the order dated 18.01.2016 passed by this Court in RFA-1685-2009, which was decided along with appeal bearing RFA-2207-2008, being partially allowed by enhancing the compensation amount from Rs.6 lakhs to Rs.8 lakhs per acre.
2. Although, the applicant did not challenge the decision dated 18.01.2016, passed by this Court, however, aggrieved thereof, some of the landowners filed SLP before the Hon'ble Supreme Court of India for enhancement of compensation on the ground that this Court in RFA-3161-2009, titled as "**Jasmer Singh vs. State of Punjab**" awarded compensation to the tune of Rs.62,16,415/- per acre for the land of the same villages, whereas the difference between the date of notification is only three months.

In the said SLP, the Hon'ble Supreme Court permitted the landowners to

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approach this Court again by filing review application. Thereafter, some of the landowners preferred review applications before this Court, which came to be allowed. Later on, the Hon'ble Apex Court vide its order dated 06.12.2017, set aside the judgment passed by this Court in **Jasmer Singh's** case (supra) and remanded the case back to this Court for fresh hearing. Thereafter, all the cases were reheard and finally decided vide judgment dated 07.12.2019 in RFA-2208-2008.

3. Learned counsel for the parties are *ad idem* that the matter pertaining to the same acquisition/notification covering the same revenue estate i.e. Village Marauli Kalan/Marauli Khurd, Tehsil Kharar, District Roopnagar (now SAS Nagar) filed at the instance of few other land-owners came up before this Court, which was finally disposed of vide judgment dated 07.12.2019 passed in RFA-2208-2008 (O&M), titled as “**Bhag Singh vs. State of Punjab**”. Para 22 thereof being relevant is reproduced hereunder:-

22. *Resultantly, keeping in view the above, this Court is of the opinion that it would be just and appropriate if Rs.10,46,742/- per acre is awarded as the market value for the land of two villages i.e. Marauli Kalan (Mandouli Kalan) and Marauli Khurd (Mandouli Khurd) along with all statutory benefits.”*

4. In view of the above as well as agreed stand taken by both the sides, the review application is disposed of in terms of decision dated 07.12.2019 passed in the case of **Bhag Singh** (supra) and the applicant is entitled for similar market value @ Rs.10,46,742/- per acre along with all statutory benefits and interest available under the Land Acquisition

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(Amendment) Act, 1984. However, the applicant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the review application.

Pending application(s), if any, shall stand(s) disposed of.

19.07.2023
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/ No