

2025:PHHC:160956



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

**RFA-120-2024 (O&M)
Decided on:-18.11.2025**

Rajwant Singh (since deceased) thr. his LRsAppellant..

vs.

State of Punjab and othersRespondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Daljeet Singh Randhawa, Advocate for
Mr. A.S.Manaise, Advocate,
for the appellant.

Mr. Gunjan Mehta, Addl. A.G., Punjab.

Mr. Ashish Grover, Advocate,
for respondents No.2 & 3.

HARKESH MANUJA J. (Oral)

CM-2981-CI-2025

Prayer in this application is for preponing the date of hearing in
the main case, which is fixed for 05.12.2025.

Having heard learned counsel for the parties and gone through
the contents of the application, prayer made herein is allowed and date of
hearing is preponed from 05.12.2025 to today itself for hearing.

CM-319-CI-2024

1. This is an application for condoning the delay of 3497 days in
refiling the appeal.

2. Reply to the application filed on behalf of respondents No.2 &

3 in the Registry, is taken on record.

2.1 Learned counsels for the respondents vehemently oppose the prayer made in the application and pray for dismissal of the application.

3. I have heard learned counsel for the parties and gone through the contents of the application.

4. Concededly, the other similarly situated land owners pertaining to the same acquisition proceedings have already been held entitled for the enhanced amount of compensation vide judgment dated 04.04.2025 passed by this Court in a bunch of appeals with lead case bearing RFA-641-2016 (O&M), titled as ***“House & Urban Development Department (PUDA) vs. Bhan Singh and others”***.

5. Based thereupon, besides applying the principle of parity, the land owner/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 in the 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 LR’s Vs. Special Land Acquisition Officer and Another, 2020 (19) SCC 599**.

6. In view of the discussion made hereinabove, the application is allowed and delay of 3497 days in refiling the appeal is hereby condoned.

RFA-120-2024 (O&M)

1. Learned counsel for the parties are *ad idem* that the matter in issue with regard to determination of market value of acquired land is squarely covered by the decision rendered by this Court in ***Bhan Singh’s*** case (supra), decided on 04.04.2025, wherein the land measuring 155 acres 8

marlas, situated in the same revenue estate of Village Gurdaspur, was acquired vide notification dated 21.05.2004, issued under Section 4 of the Land Acquisition Act, 1894, and for the same purpose i.e. for developing urban estate in District Headquarter, Gurdaspur. Relevant para 6.1 of **Bhan Singh's** case (supra) is reproduced hereunder:-

“Keeping in view the aforesaid facts, it is considered appropriate to apply 20% cut, particularly when with respect to land acquired by the Improvement Trust, the market value has been assessed at Rs.24,00,000/- per acre. After deducting 20% from Rs.31,21,574.24/-, the amount comes out to Rs.24,97,262.24/-, which is rounded off to Rs.24,97,265/-, hence, the market value of the acquired land is assessed at Rs.24,97,265/- per acre. The landowners shall be entitled to the aforesaid market value along with all statutory benefits as per the amended ‘1894 Act’.”

2. Accordingly, the present appeal is disposed of in terms of the said decision and the appellant is held entitled for similar market value along with all statutory benefits and interest available under the provisions of amended Land Acquisition Act, 1984, especially the benefit of interest on solatium. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in re-filing the appeal i.e. 3497 days.

3. Pending application, if any, also stands disposed of.

18.11.2025

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/ No