



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

**CM No. 7145-CI of 2019 in/and
RFA No. 3017 of 2019 (O&M)
Date of Decision: 11.09.2025**

Harbans Singh and others

...Appellants

Versus

District Revenue Officer-cum-Land Acquisition
Collector, Rupnagar and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Naresh Kaushal, Advocate with
Mr. Nitish Kaushal, Advocate
for the applicants-appellants / landowners.

Mr. Gunjan Mehta, Additional Advocate General, Punjab
for the respondents.

HARKESH MANUJA, J. (ORAL)

CM-7145-CI-2019

Prayer in the present application moved on behalf of the applicants-appellants, is for condonation of delay of 5927 days in filing the appeal.

Upon notice, reply has been filed and *inter alia* prayed for dismissal of the application.

I have heard learned counsel for the parties and gone through the contents of the application, which has been supported by affidavit of appellant No. 1-Harbans Singh.

Concededly, the other similarly situated landowners pertaining to the same acquisition proceedings have already been held

entitled for the modified / enhanced amount of compensation to the tune of Rs. 4,00,000/- per acre pertaining to the acquired land falling in same revenue estate(s), i.e. **Village Lakhnaur**, Tehsil Kharar, District Ropar (now Tehsil & District SAS Nagar / Mohali), in view of judgment dated 02.08.2010 passed in **RFA-99-2006**, titled **“Jarnail Singh Versus District Revenue Officer and another”**.

Based thereupon, applying the principles of parity, besides awarding 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 5927 days in filing the appeal is hereby condoned, subject to denial of interest for the delayed period.

MAIN APPEAL

The appellants-landowners, by instituting the present appeal preferred under Section 54 of the Land Acquisition Act, 1894 (**for short “the Act”**), are seeking setting aside the order dated 15.01.2019 passed by learned Additional District Judge, Rupnagar (**hereinafter to be referred as “Reference Court”**), whereby their application for reviewing the order dated 31.10.2002 passed by the Reference Court was dismissed.

[2] Briefly, the facts are that in pursuance of Punjab Govt. Notification under Section 4 of the Act issued on 26.10.1990, followed by Notification dated 06.11.1991 under Section 6 thereof, the land of appellants measuring 10 kanal 4 marla, situated within the revenue estate of Village Lakhnaur, Tehsil Kharar, District Ropar (now Tehsil & District SAS Nagar / Mohali) was acquired. The public purpose for the

acquired land was stated to be construction of BSF Head Quarter. The Land Acquisition Collector (**for short “LAC”**), vide Award No. 15 dated 03.12.1993, assessed the market value of the acquired land @ ₹ 1,75,000/- per acre.

[3] Dissatisfied with the aforesaid Award, some other landowners / interested persons, filed objections under Section 18 of the Act, which were decided by Reference Court, whereby the market value of the acquired land was enhanced / assessed @ ₹ 4,00,000/- per acre. However, the reference petition filed at the instance of appellants was dismissed on 31.10.2002 by Reference Court whereby they were proceeded *ex parte*. Thereafter, they filed an application on 29.09.2015, i.e. after about 13 years, to review the said order dated 31.10.2002, which also came to be dismissed vide order dated 15.01.2019 by learned Reference Court.

[4] Aggrieved thereof, the appellants-landowners preferred the present appeal.

[5] Learned counsel for the applicants-appellants submits that other similarly situated landowners approached this Court by filing appeals for enhancement of compensation, pertaining to the acquired land of Village Lakhnaur under the same notification, which were allowed vide decision dated 02.08.2010 in a bunch of appeals, lead case of which was ***RFA No. 99 of 2006*** titled ***“Jarnail Singh Versus District Revenue Officer and another”***, thereby awarding compensation @ ₹4,00,000/- per acre. He thus contends that the present appeal is squarely covered with the judgment of ***‘Jarnail Singh’s case (supra)***, arising out of the same purpose vide which the land of applicants-appellants had been acquired.

[6] Learned State Counsel does not dispute the afore-stated factual position about judgment dated 02.08.2010 passed in **Jarnail Singh's case (supra)**; but opposes the payment of interest for the period, the applicants-appellants failed to approach this Court after the decision of Reference Court. He also submits that even the **Civil Appeal Nos. 4070-4075 of 2012**, titled "**Bhag Singh etc. Versus Union of India & Anr.**", filed at the instance of other landowner(s) stood dismissed vide order dated 05.05.2022 passed by the Hon'ble Supreme 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 of **Jarnail Singh's case (supra)**, which is arising out of the same acquisition / Notification dated 26.10.1990 issued under Section 4 of Act covering the same revenue estate i.e. **Village Lakhnaur**, whereby the landowners have been held entitled for the enhanced amount of compensation @ ₹ 4,00,000/- per acre. For reference, the relevant para-23 from judgment dated 02.08.2010 passed in case of **Jarnail Singh's (supra)** (at page No. 6) reads as under:-

“ 23. RFA Nos. 1778 of 2007, 5565 and 5566 of 2008 and 4911 of 2009 filed by Union of India are allowed and the land owners therein are held entitled to compensation @ ₹ 4,00,000/- per acre. ”

[9] Based upon the above, applying the principle of parity, besides award of just and fair compensation, the landowners / appellants being similarly situated are held entitled for grant of similar amount of compensation as has been awarded to other landowners vide judgment dated 02.08.2010 in case of **Jarnail Singh's (supra)**, alongwith all other

statutory benefits and interest thereupon as provided under the Act, except interest for the period the appellants did not approach this Court.

[10] Disposed off in the above terms.

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

September 11, 2025
‘dk kamra’

(HARKESH MANUJA)
JUDGE

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