

2025:PHHC:161447



CWP No.15427 of 2025 (O&M)

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

187

CWP No.15427 of 2025 (O&M)
Date of Decision:19.11.2025

PROMILA RANA AND OTHERS

.....Petitioners

Vs

STATE OF HARYANA AND OTHERS

....Respondents

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

Present: Mr. Sandeep Sharma, Advocate
for the petitioners.

Ms. Komal Sharma, D.A.G., Haryana.

Mr. Siddhant Arora, Advocate for
Mr. Ankur Mittal, Advocate
for respondent Nos.2 to 4.

HARKESH MANUJA, J. (Oral)

[1]. Short reply by way of affidavit of Ms. Anupma Malik, Land Acquisition Collector, Urban Estates Department, Gurugram on behalf of respondent Nos.1 and 5 has been filed in Court, the same is taken on record.

[2]. By way of present writ petition, prayer made on behalf of the petitioners is for grant of statutory interest on account of delayed disbursement of amount of compensation.

[3]. Briefly stating, some land owned by the petitioners, situated in the revenue estate of village Bajghera, District Gurugram was acquired vide notification dated 27.12.2013 issued under Section 4 of the Land Acquisition Act, 1894 (for short 'the 1894 Act'), followed by notification dated 11.12.2019 issued under Section 6 thereof. The Land Acquisition Collector (for short 'the LAC'), had passed the Award on 09.12.2021, however payment was released in favour of the



CWP No.15427 of 2025 (O&M)

petitioners from 06.11.2023 to 15.12.2023 except petitioner No.8, to whom payment was released on 20.09.2024. It has thus, been prayed that once the possession of the acquired land was taken over from the petitioners/landowners on the date of passing of the Award dated 09.12.2021, then the petitioners/landowners were entitled for statutory interest payable in terms of Section 80 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the 2013 Act') for the delayed disbursement of the amount of compensation from the date of passing of Award dated 09.12.2021 till the date of release of amount of compensation in their favour.

[4]. On the other hand, the plea raised on behalf of the petitioners has been vehemently opposed at the instance of learned State counsel as well as learned counsel representing respondent Nos.2 to 4 while submitting that the delay in disbursement of the compensation is wholly attributable to the inaction of the petitioners/landowners as the entire compensation had already been tendered to the Land Acquisition Officer, Gurugram and it was only after submission of the requisite documents/bank details by the petitioners/landowners, the same was released in their favour from 06.11.2023 to 15.12.2023 except petitioner No.8, to whom payment was released on 20.09.2024. In such circumstances, the writ petition was liable to be dismissed as there was no fault on the part of the respondents towards the delay caused in release of the amount of compensation.

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

[6]. A perusal of the record shows that in terms of the acquisition proceedings initiated qua the land of the petitioners, situated within the revenue estate of village Bajghera, District Gurugram, an Award was passed by the LAC on



CWP No.15427 of 2025 (O&M)

09.12.2021 followed by taking over of possession of the acquired land on the same day. However, the compensation was disbursed in favour of the petitioners only from 06.11.2023 to 15.12.2023 except petitioner No.8, to whom payment was released on 20.09.2024 and thus, there was a delay on the part of respondents. In the humble opinion of this Court, no merit can be found in the submission made on behalf of the respondents that the delay in disbursement of the compensation amount was wholly attributable to the inaction of the petitioners/landowners. In fact it is evident from the table given in para No.9 of the short reply filed on behalf of respondent Nos.1 and 5, that most of the petitioners/landowners had already submitted their documents/bank details within one month after pronouncement of the Award on 09.12.2021. However, the amount of compensation was released only in the year 2023 i.e. after delay of almost two years; that too without any justification or explanation for the same. Relevant table from the aforementioned reply is extracted hereunder:-

Petitioners	Date of Submission of Documents	Date of payment
Petitioner No.1	23.12.2021	06.11.2023
Petitioner No.2	21.12.2021	06.11.2023
Petitioner No.3	23.12.2021	06.11.2023
Petitioner No.4	23.12.2021	06.11.2023
Petitioner No.5	23.12.2021	06.11.2023
Petitioner No.6	22.07.2022	06.11.2023
Petitioner No.7	22.07.2022	06.11.2023
Petitioner No.8	15.12.2023	20.09.2024



CWP No.15427 of 2025 (O&M)

Petitioner No.9	21.12.2021	06.11.2023
Petitioner No.10	21.12.2021	11.12.2023
Petitioner No.11	21.12.2021	11.12.2023
Petitioner No.12	06.01.2022	11.12.2023
Petitioner No.13	22.07.2022	06.11.2023
Petitioner No.14	21.12.2021	11.12.2023
Petitioner No.15	23.12.2021	11.12.2023
Petitioner No.16	21.12.2021	06.11.2023
Petitioner No.17	21.12.2021	06.11.2023
Petitioner No.18	21.12.2021	06.11.2023
Petitioner No.19	21.12.2021	15.12.2023
Petitioner No.20	21.12.2021	11.12.2023

Furthermore, neither any letter or correspondence from the side of respondents has been placed on record to show that the petitioners were even called upon to supply any document so as to receive their part of compensation. Be that as it may, in case the petitioners were not coming forward to furnish the requisite documents, the compensation amount was required to be forwarded to the learned Reference Court, however, even no such steps were taken by the respondents.

[7]. In such circumstances, once the possession of the acquired land was taken over from the petitioners on 09.12.2021, they were entitled for disbursal of amount of compensation on the same day, however there being delay in disbursal towards principle amount, the petitioners are entitled for award of statutory interest



CWP No.15427 of 2025 (O&M)

in terms of Section 80 of the 2013 Act. As such, the present writ petition is allowed to the aforementioned extent. Respondent No.2 is directed to calculate the statutory interest payable in favour of the petitioners/landowners on the awarded amount from 09.12.2021 till the date of release of the same in favour of the petitioners i.e. the period of delay towards disbursal of the amount of compensation. The needful exercise be carried out within 02 weeks from the date of receipt of certified copy of this order and the payment be released in favour of the petitioners/landowners within 02 weeks thereafter.

[8]. In case, respondent No.2 fails to comply with the aforesaid directions, the officer concerned shall be liable to pay cost(s) of Rs.1 lakh over and above the amount payable to the petitioners towards interest. It is made clear that the cost(s) shall be borne by the officer concerned from his/her own pocket and shall not be treated as burden on the State Exchequer.

[9]. Pending misc. application(s), if any, shall also stand disposed of.

November 19, 2025
Atik

(HARKESH MANUJA)
JUDGE

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