

2025:PHHC:114682



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

**CWP-21717-2023 (O&M)
Decided on:-27.08.2025**

Lal Chand and others

....Petitioners..

vs.

State of Haryana and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Mukesh Yadav, Advocate for the petitioners.

Ms. Komal Sharma, DAG, Haryana.

HARKESH MANUJA J. (Oral)

1. By way of present petition, prayer has been made for grant of the following reliefs:-

“Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance an appropriate writ in the nature of mandamus for issuing direction to the respondent to grant the entire compensation of the acquired land as admitted by the department vide their order dated 29.07.2015 (Annexure P-6) and grant the compensation as assessed in their own reply dated 05.02.2020 (Annexure P-7) along with interest @ 18% per annum to the petitioners for their land which was taken into possession by the respondent in 2007 for the purpose of constructing kakralla via Israna ki Dhani, Rambass, Dhana Manpura road consequencey Jatusana, District Mahendergarh.”

2. Learned State counsel submits that 08 banker cheques with

respect to the payment due to the petitioners were prepared and in view thereof, the amount has been released in favour of the landowners-petitioners. The details of said 08 banker cheques are extracted hereunder:-

Sr. No.	Banker cheque	Amount	Issue date	Re-validation date	Payment date
1	474026	Rs.1,17,970/-	13.03.2020	13.09.2022	22.09.2022
2.	474027	Rs.1,17,971/-	13.03.2020	13.09.2022	22.09.2022
3.	474029	Rs.2,35,940/-	13.03.2020	13.09.2022	22.09.2022
4	474030	Rs.5,96,808/-	13.03.2020	13.09.2022	21.09.2022
5.	474031	Rs.3,96,809/-	13.03.2020	13.09.2022	21.09.2022
6	483652	Rs.78,646/-	19.09.2022	NA	06.10.2022
7	483653	Rs.78,647/-	19.09.2022	NA	06.10.2022
8	483661	Rs.78,647/-	20.09.2022	NA	07.10.2022

3. In view of the aforesaid, learned counsel for the petitioners submits that the petitioners have already been released the principal amount, however, the interest was calculated only upto 13.03.2020 and, therefore, they were entitled for interest between 13.03.2020 till the date of payment.

4. I have heard learned counsel for the parties and gone through the paper book.

5. As per Annexure R-8, the amount against the 08 banker cheques was deposited by the respondents-department with the Bank in March 2020 and thereafter, the said amount was freezed by the Bank and even no interest was paid to the department against the said amount by the Bank.

5.1 Furthermore, as per the records, the aforementioned banker cheques were tendered before the Registry of this Court in March 2020 itself, however, on account of Covid-19 situation, the writ petition could not be taken up for hearing and later the same was disposed of vide order dated

02.09.2022, which is extracted hereunder:-

“While filing the writ petition, the petitioners have prayed for issuance of a writ in the nature of Mandamus, to direct the respondents to grant compensation for the acquired land. On 22.04.2019 the following order was passed:-

“Inter alia contends that vide speaking order dated 29.07.2015 (Annexure P-6), respondent No.3 had come to the conclusion that the award was not announced and therefore, there was statutory lapse of acquisition proceedings. It is further submitted that as per the order, the reasoning given is that possession before starting of the acquisition proceedings had been restored due to the said lapse and therefore, payment of compensation has been denied. Reference is made to the affidavit filed in the contempt petition (Annexure P-5), to submit that a road has been constructed on the spot and therefore, the petitioners have been dispossessed. It is, thus, submitted that in that case, respondents would have to initiate fresh proceedings under the Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013.

Notice of motion.

Mr.Shivendra Swaroop, AAG, Haryana accepts notice on behalf of the State and prays for time to file reply.

List on 11.07.2019.

Let categorical report be submitted by the Revenue Authorities as to whether on the land which was proposed to be acquired, road has been constructed or not, which should form part of the reply, to be filed by the State.”

Subsequently, the State of Haryana handed over the demand drafts drawn in favour of the petitioners, which were kept in safe custody of the Registrar (General) of the Court. Due to

COVID-19, the writ petition was not taken up for hearing for nearly 2 years.

Learned counsel representing the petitioners submits that he has no objection for the disposal of the writ petition if the demand drafts are handed over to the petitioners.

On the other hand, the learned State counsel has submitted that the validity of the aforesaid demand drafts has lapsed with the efflux of time.

Keeping in view the aforesaid facts, the writ petition is disposed of. The Registrar (General) of this Court is directed to return the demand drafts to the office of Advocate General, Haryana. Sh.J.S.Pannu, AAG, Haryana, has stated that after preparing the fresh demand drafts, the payment will be made to the petitioners, within a period of two weeks, from today, positively.

Ordered accordingly.

All the pending miscellaneous applications, if any, are also disposed of.”

5.2 In terms of the aforementioned order passed in CWP-10203-2019, titled as **“Lal Chand and others vs. State of Haryana and others”**, the amount already stands released in favour of the petitioners, and as such, no cause survives in the present writ petition towards interest, as no such order was ever passed in favour of the petitioners in the previous writ petition.

5.3 It is made clear that in case, the petitioners feel aggrieved of the assessment made by the respondent-department, they shall be at liberty to avail their remedies as per law and the determination so made by the respondent-department be treated as an award passed under Section 11 of the Land Acquisition Act, 1894 for the purposes of invoking Section 18 reference at the instance of landowners, especially, under the circumstances

when the assessment has been made purely on the basis of Collector rate and no other market factor has been taken into account for the said purpose.

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

27.08.2025
sonika

(HARKESH MANUJA)
JUDGE

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