

2025:PHHC:173020



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

**RFA-194-2023 (O&M)
Decided on:-10.12.2025**

Raghubir Singh and others

....Appellants..

VS.

State of Haryana and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Divyam Singh, Advocate for the appellants.

Mr. Abhinash Jain, DAG, Haryana.

HARKESH MANUJA J. (Oral)

CM-789-CI-2023

1. This is an application for condoning the delay of 2139 days in filing the appeal.
2. Reply to the application filed on behalf of respondent-State in the Registry, is taken on record.
3. Learned counsel representing the respondent-State vehemently opposes the prayer made in the application and prays for dismissal of the application.
4. I have heard learned counsel for the parties and gone through the contents of the application.
5. 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 29.07.2015 passed

by this Court in a bunch of appeals with lead case bearing RFA-7214-2012-2018 (O&M), titled as ***“Janardhan vs. State of Haryana and another”***.

6. Based thereupon, besides applying the principle of parity, the applicants-landowners being similarly situated, are entitled for grant of similar amount of compensation, however, without any payment of interest for the period they failed to approach this Court after the decision in the reference Court. In this regard reliance can be placed upon the decisions of Hon’ble Supreme Court in case of ***Ningappa Thotappa Angadi (Dead) through LRs Vs. Special Land Acquisition Officer and Another, 2020 (19) SCC 599*** and the latest exposition of law laid down in ***“Mohar Singh (Dead) thr. LRs and ors. vs. State of Uttar Pradesh Collector and ors.”*** reported as ***2023 INSC 1019***, whereby, delay of 12 years and 353 days was condoned to accord parity between similarly placed landowners albeit no interest was awarded for delayed period. The relevant portion thereof is extracted hereunder:-

“12. Having heard learned Senior Counsel for the parties and on perusal of the material placed on record, we are satisfied that the appellants are entitled to seek parity with their co-villagers in the grant of compensation for their acquired land. This Court has consistently held in a catena of decisions that the inordinate delay in filing appeal in compensatory matters, per se, may not be fatal as the rights and equities between the parties can be well balanced by denying the statutory benefits, such as interest for the delayed period. We are thus of the considered opinion that the delay in filing the first appeal(s) could be condoned subject to the condition that the appellants would not be entitled to enure undue benefit for the delayed period. We grant such indulgence in the appellant’s favour also for the reason that a batch of first appeals at the instance of other land owners was still pending consideration before the High Court. All that the High Court ought to have emphatically denied to the late-comers was the benefit of interest including on the solatium, under Section 34 of the Act for the period from the date of passing of the award by the Reference Court till the filing of the first appeals.”

7. In view of the discussion made hereinabove, the application is

allowed and delay of 2139 days in filing the appeal is hereby condoned.

RFA-194-2023 (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 ***Janardhan's*** case (supra), decided on 29.07.2015, wherein the land situated in villages namely, Sakra and Kheri Sakra, Tehsil and District Kaithal was acquired vide notification dated 08.01.2003, issued under Section 4 of the Land Acquisition Act, 1894, and for the same purpose i.e. for extension of Pundri Drain No.1 from RD 55000 to 84412. Relevant portion para of ***Janardhan's*** case (supra) is reproduced hereunder:-

“..... For this period granting proportionate increase the amount of compensation shall come out to ₹ 5,30,000/- per acre. Accordingly, the value of the land in the present set of appeals is determined @ ₹ 5,30,000/- per acre. The landowners shall also be entitled to all the statutory benefits available under the Act.

The appeals are disposed of accordingly.”

2. Accordingly, the present appeal is disposed of in terms of the aforesaid decision and the appellants are held entitled for similar market value along with all statutory benefits and interest payable under the provisions of amended Land Acquisition Act, 1894, especially the benefit of interest on solatium. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 2139 days.

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

10.12.2025

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No