

2026:PHHC:047183



RFA No.98 of 2024 (O&M)

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

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RFA No.98 of 2024 (O&M)
Date of Decision: 24.03.2026

HARPAL SINGH (SINCE DECEASED) TH. HIS LR. ...Appellant
Vs
STATE OF HARYANA THROUGH LAND ACQUISITION COLLECTOR,
AMBALA AND ANR.Respondent

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

Present: Mr. Deepak Kumar, Advocate
for the appellants.

Mr. Abhinash Jain, D.A.G., Haryana.

Mr. Pritam Singh Saini, Advocate with
Ms. Surbhi Rana, Advocate
for respondent No.2/HSIIDC.

HARKESH MANUJA, J. (Oral)

CM No.549-CI of 2026

Prayer made in the application filed under Order 1 Rule 10 read with
Section 151 CPC is for impleading the Haryana State Industrial and Infrastructure
Development Corporation Ltd. (HSIIDC) as respondent No.2 in the present appeal.

Notice of the application.

Learned counsel for the appellant and learned State counsel accept
notice and do not oppose the prayer made in the application.

Upon hearing and for the reasons mentioned in the application, the
same is allowed, subject to all just exceptions and the applicant(s) Haryana State
Industrial and Infrastructure Development Corporation Ltd. (HSIIDC) is ordered to
be impleaded as party-respondent No.2 in order to pursue the present case.



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Amended memo of parties is taken on record. Registry to do the needful.

CM Nos.269-CI & 270-CI of 2024

By way of present applications, prayer has been made for condoning the delay of 613 days in refilling and 1780 days in filing the present appeal.

Notice in the applications was issued on 30.10.2025. However, no reply has been filed on behalf of respondent No.1/State.

Reply on behalf of respondent No.2 to the application for condonation of delay has been filed, the same is taken on record.

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

Concededly, the issue of compensation against the acquired land pertaining to the land situated in revenue estate i.e. village Bihta, H.B. No.158, Tehsil Saha, District Ambala stands adjudicated by this Court vide judgment dated 16.12.2021 passed in RFA No.5680 of 2015 (O&M) with other connected cases titled *Haryana State Industrial Development Corporation (now Haryana State Industrial and Infrastructure Development Corporation) Limited Vs. Chanda Singh and others*'. Based thereupon and applying the principle of parity, besides grant of just and fair compensation, the landowner(s)/applicant(s) being similarly situated are entitled for grant of similar amount of compensation, however, without any payment of interest for the period of delay in filing the present appeal. In this regard reliance can be placed upon the decision of Hon'ble Supreme Court in case of "Ningappa Thotappa Angadi (Dead) through LRs Vs. Special Land Acquisition Officer and Another" reported as "2020 (19) SCC 599" and the latest exposition of law laid down in Mohar Singh (Dead) Through Lrs. & Ors. Vs. State of Uttar



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Pradesh Collector & 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.”

In view of the discussion made hereinabove as well as contents of the applications, the same are allowed and delay of 613 days in re-filing and 1780 days in filing the present appeal is hereby condoned.

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[1]. By way of present appeal, challenge has been laid to the Award dated 29.01.2015 passed by the learned Addl. District Judge, Ambala-cum-Reference Court whereby Reference Petition under Section 18 of the Land Acquisition Act, 1894 preferred at the instance of appellant(s)/landowner(s) was partly allowed



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while awarding them compensation @ Rs.12,90,000/- per acre for the acquired land along with other statutory benefits/interest in their favour.

[2]. Learned counsel for the parties are ad *idem* that under similar circumstances and pertaining to the land forming part of the same acquisition within the revenue estate of village Bihta, H.B. No.158, Tehsil Saha, District Ambala, the market value stands uniformly assessed at Rs.8,32,000/- per acre vide judgment 16.12.2021 passed by the this Court in **RFA No.5680 of 2015 (O&M)** with other connected cases titled ‘*Haryana State Industrial Development Corporation (now Haryana State Industrial and Infrastructure Development Corporation) Limited Vs. Chanda Singh and others*’

[3]. Accordingly, the present appeal is disposed of in terms of the decision rendered in ‘*Chanda Singh and other’s*’ case (supra) and the appellant(s) are held entitled for similar amount of compensation as has been awarded to other similarly situated landowners, along with all statutory benefits and interest available under the amended provisions of Land Acquisition Act, 1894 as applicable to the present acquisition including the interest on solatium. However, the appellant(s) shall not be entitled to interest on the enhanced compensation for the period of delay in re-filing as well as filing the appeal.

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

March 24, 2026
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Whether speaking/reasoned
Whether reportable

(HARKESH MANUJA)
JUDGE

Yes/No
Yes/No