

2026:PHHC:034881



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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RFA No.832 of 2020 (O&M)
Date of Decision: 06.03.2026

GURDIAL KAUR (SINCE DECEASED) THROUGH HER LR....Appellant(s)
Vs
THE LAND ACQUISITION COLLECTOR, PAYAL ...Respondent(s)

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

Present: Mr. Ram Bilas Gupta, Advocate (through V.C.)
Mr. Hardeep Singh, Advocate
for the appellant(s)/landowner(s).

Mr. Gunjan Mehta, Addl. A.G., Punjab.

HARKESH MANUJA, J. (Oral)

CM No.2006-CI of 2020

Prayer made in the application is for impleading the applicant(s) as legal representative(s) of appellant-Gurdial Kaur, who had died on 08.09.2009.

For the reasons mentioned in the application, the same is allowed, subject to all just exceptions and the applicant(s) as mentioned in paragraph No.1 of the application is ordered to be impleaded as legal representative(s) of appellant-Gurdial Kaur (deceased) in order to pursue the present case.

CM No.2004-CI of 2020

By way of present application, prayer has been made for condoning the delay of 7461 days in filing the present appeal.

Notice of the application.

RFA No.832 of 2020 (O&M)

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On asking of the Court, Mr. Gunjan Mehta, Addl. A.G., Punjab accepts notice on behalf of the respondent-State.

Concededly, the other similarly situated landowners pertaining to the same acquisition proceedings have already been held entitled for the enhanced amount of compensation pertaining to the land situated in revenue estate i.e. village village Arraichan, Tehsil Payal, District Ludhiana along with solatium and other statutory benefits, in view of judgment of even date i.e. 06.03.2026 passed by the this Court in **RFA No.526 of 2000** titled '**Gurdev Singh (since deceased) through his LRs Vs.The Land Acquisition Collector, Payal.**'

Based thereupon and applying the principle of parity, besides grant of just and fair compensation, the landowners/applicants being similarly situated is 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 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 application, the same is allowed and delay of 7461 days in filing the present appeal is hereby condoned.

Main Appeal

For detailed order, see order of even date passed in **RFA No.526 of 2000** titled **Gurdev Singh (since deceased) through his LRs Vs. The Land Acquisition Collector, Payal”**.

March 06, 2026 <i>Atik</i>	(HARKESH MANUJA) JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No