



170-5

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

RFA No. 1073 of 2024 (O&M)

Date of Decision: 21.01.2026

Vidya Devi (since deceased) through LRs and others

...Appellants

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sarvesh Malik, Advocate
for the applicants-appellants.

Mr. Abhinash Jain, Deputy Advocate General, Haryana
for respondent Nos. 1 & 2.

Mr. Pritam Singh Saini, Advocate with
Ms. Surbhi Rana, Advocate
for respondent Nos. 3 & 4-HSIIDC.

HARKESH MANUJA, J. (ORAL)

CM-2716-CI-2024

Application is **allowed** as prayed for subject to all just exceptions. The legal representatives of appellant Nos. 1 & 12 as mentioned in the application are ordered to be brought on record to pursue the present appeal.

CM Nos. 2715-CI & 2717-CI of 2024

Instant two applications have been moved by the learned counsel for applicants-appellants for condonation of delay of 1753 and 878 days in filing and re-filing the appeal respectively.

Notice of the applications was issued on 09.12.2025.

No reply has been filed; however, learned counsel(s) for the respondent(s) vehemently oppose the prayer made in the application(s).

I have heard learned counsel for the parties and gone through the contents of the application(s).

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 acquired land falling in the same revenue estate, i.e. ***Village Kharawar, Tehsil Sampla, District Rohtak***, in view of judgment/order dated 02.12.2021 passed by this Court in a bunch of appeals, lead case of which was ***RFA No. 3240 of 2015***, titled ***“Satpal Versus State of Haryana and another”***.

Based thereupon and applying the principle of parity, besides grant of just and fair compensation, the landowners/applicants being similarly situated are held entitled for grant of similar amount of compensation, however, without any payment of interest for the period of delay in filing / re-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 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 applications, the same are **allowed** and delay in filing and re-filing the appeal, as mentioned above, is hereby condoned. However, the applicants shall not be entitled for interest for the period of delay in filing and re-filing the appeal.

MAIN APPEAL

Notice stood issued on 09.12.2025.

[2] Learned counsel for the appellants submits that the present appeal is squarely covered by the judgment dated 02.12.2021 passed by this Court in a bunch of appeals, lead case of which was **RFA No. 3240 of 2015**, titled “**Satpal Versus State of Haryana and another**”.

[3] Learned counsel(s) for the respondents are not in a position to controvert the above factual position.

[4] After going through the judgment referred to above as well as the present case, this Court agrees with the assertion of the learned counsel for the appellants.

[5] Consequently, the present appeal is **disposed off** in the same terms as **Satpal’s case (supra)**.

[6] It is further added that the appellants shall not be entitled to interest for the period of delay in filing the appeal.

[7] Pending miscellaneous application(s), if any, shall stand(s) disposed off.

January 21, 2026

‘dk kamra’

**(HARKESH MANUJA)
JUDGE**

Whether Speaking / Reasoned :	Yes	No
Whether Reportable :	Yes	No