



RFA No.792 of 2023 (O&M with other connected cases

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

123-11

RFA No.792 of 2023 (O&M)
Date of Decision: 26.02.2026

DASONDHA SINGH (DECEASED) THROUGH LRSAppellant(s)
Vs
STATE OF HARYANA AND ANR. ...Respondents

2. RFA No.1769 of 2023 (O&M)
DASONDHA SINGH (DECEASED) THROUGH LRSAppellant(s)
Vs
STATE OF HARYANA AND ANR. ...Respondents

3. RFA No.426 of 2024 (O&M)
GURJIT SINGH @ GURJEET SINGH AND ORS.Appellant(s)
Vs
STATE OF HARYANA AND ORS. ...Respondents

4. RFA No.362 of 2020 (O&M)
KRISHAN KUMARAppellant(s)
Vs
STATE OF HARYANA AND ANR. ...Respondents

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

Present: Mr. S.S. Kamboj, Advocate and Mr. Manvir Singh Kamboj, Advocate
Mr. Sushil Kumar Sharma, Advocate for the appellant(s).

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

HARKESH MANUJA, J. (Oral)

CM No.2317-CI of 2023 in RFA No.792 of 2023
CM No.5078-CI of 2023 in RFA No.1769 of 2023

Prayer in these applications is for condonation of delay of 933 days in re-filing in filing the present appeals.

Notice of the applications was issued to the non-applicant/respondents on 09.10.2023 and 20.11.2023 respectively.

Having heard learned counsel for the parties and for the reasons mentioned in the applications, which makes out sufficient cause, the same are

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allowed. Accordingly, delay of 933 days in re-filing the present appeals is hereby condoned.

CM No.2316-CI of 2023 in RFA No.792 of 2023
CM No.5077-CI of 2023 in RFA No.1769 of 2023
CM No.1205-CI of 2024 in RFA No.426 of 2024

Prayer in these applications is for condonation of delay of 1714 and 3082 days in filing the respective appeals.

Notice of the applications was issued to the non-applicant/respondents on 09.10.2023 and 20.11.2023 respectively, however no reply has been filed.

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 of seven villages namely Rampur Seeyuri, Razipur, Surajpur, Manakpur Nanak Chand, Manakpur Thakur Dass, Lohgarh and Dhamala along with solatium and other statutory benefits. 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 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:-

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“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 of delay of 1714 and 3082 days in filing the respective appeals is hereby condoned.

**CM No.4263-CI of 2025 in RFA No.792 of 2023 and
CM No.4260-CI of 2025 in RFA No.1769 of 2023**

Learned counsel for the applicant(s)/appellant submits that both the applications have been rendered infructuous.

Disposed of as having become infructuous.

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[1]. Vide this common order, the aforementioned Regular First Appeals are being decided as the same have arisen out of common acquisition/Award involving identical facts and question of law. For brevity, facts are being culled out from RFA No.792 of 2023.

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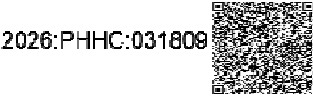
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[2]. By way of present appeal, challenge has been laid to the Award dated 07.09.2013 passed by the learned Addl. District Judge, Panchkula (hereinafter to be referred as the 'Reference Court'), whereby Reference Petition filed under Section 18 of the Land Acquisition Act, 1894 (for short 'the 1894 Act') at the instance of the appellants/landowners was partly allowed while granting them benefit of enhanced compensation @ Rs.888/- per square yard besides awarding all other statutory benefits/interest as provided under the 1894 Act.

[3]. Learned counsel for the parties are ad *idem* that the matter with respect to the determination of market value stands adjudicated upon by the this Court vide its decision dated 10.01.2020 passed in **RFA No.1235 of 2018 (O&M) and other connected cases** titled '**Smt. Ram Kaur Vs. State of Haryana and another**' whereby the similarly situated landowners pertaining to the same acquisition proceedings have been held entitled for the enhanced amount of compensation along with all other statutory benefits of the amended 1894 Act. Relevant para No.71(ii) from the aforementioned judgment is extracted hereunder:-

"71(ii) For the notification dated 27.08.2007, market value is fixed @ Rs.1180/- per sq.yard (Rs.57,11,200/- per acre) for the land falling upto the depth of 2 acres (440 feet) from NH-22 and for the land abutting the Pinjore-Nalagarh road on the northern end, upto the same depth. For the land beyond the said depth of 2 acres, from both sides, the market value would work out to Rs.944/- per sq.yard (Rs.45,68,960/- per acre), along with all statutory benefits."

[4]. In view of the stand taken by both the sides on facts and applying the principle of parity and for grant of just and fair compensation, the present appeals are partly allowed in terms of the aforementioned decision i.e '**Smt. Ram Kaur**' case (supra) and the appellants/landowners are held entitled for similar amount of market value, as has been awarded to other similarly situated landowners; along with all other statutory benefits and interest available under the amended provisions of Land Acquisition Act, 1894 as applicable to the present acquisition. However, the appellant(s) shall not be entitled to interest on the enhanced



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compensation for the period of delay in filing the respective appeals i.e. 1714 and 3082 days.

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

February 26, 2026
Atik

(HARKESH MANUJA)
JUDGE

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