



RFA No.1370 of 2023 (O&M)

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

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RFA No.1370 of 2023 (O&M)
Date of Decision: 24.02.2026

KHUSHAL SINGH AND ANR.**.....Appellants****Vs****STATE OF HARYANA AND ORS.****....Respondents****CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Ram Bilas Gupta, Advocate
for the appellants.

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

Ms. Surbhi Rana, Advocate for
Mr. P.S. Saini, Advocate
for respondent No.3.

HARKESH MANUJA, J. (Oral)**CM No.3809-CI of 2023**

By way of present application, prayer has been made for condoning the delay of 2557 days in filing the present appeal.

Notice of the application was issued to the respondents on 24.08.2023, 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 i.e. village Palwal, Hadbast No.116, Tehsil and District Faridabad (now Palwal) along with solatium and other statutory benefits, in view of judgment dated 08.11.2017 passed by the Hon'ble Apex Court in **Civil Appeal No.19286-19289 of 2017 (arising out of SLP (Civil) Nos.22037-22040 of 2016)** titled '**Ranvir @ Kalua and Ors. Etc. Vs. State of Haryana & Ors.**



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Based thereupon and applying the principle of parity, besides grant of just and fair compensation, the landowners/applicants 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:-

"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."

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In view of the discussion made hereinabove as well as contents of the application, the same is allowed and delay of 2557 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 16.03.2013 passed by the learned Addl. District Judge, Palwal-cum-Reference Court whereby Reference Petition under Section 18 of the Land Acquisition Act, 1894 preferred at the instance of appellants/landowners was partly allowed while awarding them compensation @ Rs.24,48,396/- per acre 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 Palwal, Hadbast No.116, Tehsil and District Faridabad (now Palwal), the market value stands increased to Rs.640/- per square yard by this Hon'ble Apex Court vide judgment dated 08.11.2017 rendered in **Civil Appeal No.19286-19289 of 2017 (arising out of SLP (Civil) Nos.22037-22040 of 2016)** titled '**Ranvir @ Kalua and Ors. Etc. Vs. State of Haryana & Ors.** and thus, the appellants/landowners are entitled for the similar benefits.

[3]. Accordingly, the present appeal is disposed of in terms of the aforementioned decision i.e. **Ranvir @ Kalua and Ors. Etc.'s** case (supra) and the appellants 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.

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However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in filing the appeal i.e. 2557 days.

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

February 24, 2026
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No