

2026:PHHC:002912



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

RFA-556-2024 (O&M)

Decided on:-12.01.2026

Harbans Singh (now deceased) thr. his LRs

....Appellants..

VS.

State of Haryana and another

.Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Shoaib Khan, Advocate for the appellant.

Mr. Jagdish Manchanda, Addl. A.G., Haryana,
for the respondent.

HARKESH MANUJA J. (Oral)

CM-2655-CI-2025

1. Prayer in this application is for impleading the Haryana State Industrial and Infrastructure Development Corporation Ltd. (HSIIDC), Sector 6, Panchkula as respondent No.2 to the present appeal.

2. Notice of the application.

3. Mr.Shoaib Khan, Advocate accepts notice on behalf of the non-applicant-appellant and raises no objection to the prayer made in the application.

4. Having heard learned counsel for the parties and gone through the contents of the application, prayer made herein is allowed and the Haryana State Industrial and Infrastructure Development Corporation Ltd. (HSIIDC) being the beneficiary of the acquisition is ordered to be impleaded as party

respondent No.2.

5. Amended memo of parties is taken on record.

CM-1483-CI-2024

1. Prayer in this application is for impleading the legal representatives of Harbans Singh, who died on 02.06.2019.

2. Notice of the application.

3. Mr. Jagdish Manchanda, Addl. A.G., Haryana accepts notice on behalf of the respondents and raises no objection to the prayer made in the application.

4. Having heard learned counsel for the parties and gone through the contents of the application, prayer made herein is allowed and persons mentioned in para 1 of the application are ordered to be impleaded as the legal representatives of appellant-Harbans Singh (since deceased).

CM-1482-CI-2024

1. This is an application for condoning the delay of 6439 days in filing the appeal.

2. Notice of the application was issued on 23.07.2024.

3. Reply to the application filed on behalf of respondent No.2 in the Registry, is taken on record.

4. Learned counsel representing the respondent(s) vehemently opposes the prayer made in the application and prays for dismissal of the application.

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

6. Concededly, the other similarly situated landowners pertaining to the same acquisition proceedings have already been held entitled for the

enhanced amount of compensation vide judgment dated 27.01.2025 passed by this Court in a bunch of appeals with lead case bearing RFA-3304-2005 (O&M), titled as ***“Haryana State Industrial and Infrastructure Development Corporation Ltd. vs. Ajmer Singh and another”***.

6. Based thereupon, besides applying the principle of parity, the applicants-landowners being similarly situated, are entitled for grant of similar amount of compensation, however, without any payment of interest for the period they failed to approach this Court after the decision in the reference Court. In this regard reliance can be placed upon the decisions of Hon’ble Supreme Court in case of ***Ningappa Thotappa Angadi (Dead) through LR Vs. Special Land Acquisition Officer and Another, 2020 (19) SCC 599*** and the latest exposition of law laid down in ***“Mohar Singh (Dead) thr. LR and ors. vs. State of Uttar Pradesh Collector and 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.”

7. In view of the discussion made hereinabove, the application is allowed and delay of 6439 days in filing the appeal is hereby condoned.

RFA-556-2024 (O&M)

1. At the outset, learned counsel for the appellants submits that the present appeal is squarely covered by the judgment dated 27.01.2025 passed by this Court in case titled as ***“Haryana State Industrial and Infrastructure Development Corporation Ltd. vs. Ajmer Singh and another”***, whereby the market value of the land was fixed at the rate of Rs.3,70,000/- per acre acquired vide notification dated 19.06.1992 issued under Section 4 of the Land Acquisition Act, 1894.

2 On the other hand, learned counsel representing the respondents is not in a position to controvert the above factual position.

3. After going through the judgment passed in ***Ajmer Singh’s case (supra)*** as well as the present case, this Court agrees with the assertion of the learned counsel for the appellants.

4. Consequently, the present appeal is disposed of in the same terms as ***Ajmer Singh’s case (supra)***.

5. It is further added that the appellant(s) shall not be entitled to interest for the period of delay of 6439 days in filing the appeal.

6. Pending application, if any, also stand disposed of.

12.01.2026
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(HARKESH MANUJA)
JUDGE

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