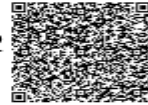


2026:PHHC:009142



231-u IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

RFA-2958-2019 (O&M)

Decided on:-21.01.2026

Subhash Kumar

....Appellant..

vs.

State of Punjab and others

.Respondents..

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

Present: Mr.J.K. Singla, Advocate for the appellant(s).

Mr. Athar Ahmed, DAG, Punjab.

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**HARKESH MANUJA J. (Oral)**

**CM-12-CI-2026**

1. This is an application for preponing the date of hearing in the main appeal, which is fixed for 24.01.2026.

2. Notice of the application.

3. Mr. Athar Ahmed, DAG, Punjab accepts notice on behalf of the respondent-State and raises no objection to the aforesaid course.

4. Having heard learned counsel for the parties and considering the contents of the application, prayer made herein is allowed and the date of hearing of the main appeal is postponed from 24.01.2026 to today itself i.e. 21.01.2026 for hearing.

**CM-7007-CI-2019**

1. This is an application for condoning the delay of 2700 days in filing the appeal.

2. Reply to the application filed on behalf of respondent No.3 in

the Registry, is taken on record.

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

4. I have heard learned counsel for the parties and gone through the contents of the application as well as reply filed on behalf of respondent No.3.

5. 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 22.02.2019 passed by this Court in a bunch of appeals with lead case bearing RFA-5978-2013 (O&M), titled as ***“Punjab State Agricultural Marketing Board (Mandi Board) vs. Ludhar Mal and others”***.

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 LRs Vs. Special Land Acquisition Officer and Another, 2020 (19) SCC 599*** and the latest exposition of law laid down in ***“Mohar Singh (Dead) thr. LRs 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 2700 days in filing the appeal is hereby condoned.

#### **RFA-2958-2019 (O&M)**

1. At the outset, learned counsel for the appellant(s) submits that the present appeal is squarely covered by the judgment dated 22.02.2019 passed by this Court in a bunch of appeals with lead case bearing RFA-5978-2013 (O&M), titled as **“Punjab State Agricultural Marketing Board (Mandi Board) vs. Ludhar Mal and others”**. The relevant portion of the said judgment reads as under:-

#### **“Relief**

45. Accordingly, the present appeals of the landowners are allowed, whereas those of the Mandi Board are dismissed. The market value is assessed @ Rs.300/- per square yard (Rs.14,52,000/- per acre) alongwith all statutory benefits for the land falling in Khasra No.388//24, 25, 389//21, 22, 395//1, 2, 9, 10, 11, 12, 19, 20, 21, 22, 396//4, 5, 6, 7, 14, 15, 16, 17, 24, 25, 403//4 & 5, 404//1 & 2 and @ Rs180/- per square yard (Rs8,71,200/- per acre) alongwith all statutory benefits for the

*land which was behind the above said land and not mentioned in the abovesaid numbers.”*

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 ***Ludhar Mal’s case (supra)*** as well as the present case, this Court agrees with the assertion of the learned counsel for the appellant(s).

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

5.            It is further added that the appellant(s) shall not be entitled to interest for the period of delay of 2700 days in filing the appeal.

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

21.01.2026  
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**(HARKESH MANUJA)**  
**JUDGE**

(i) Whether speaking/reasoned: Yes/No

(ii)

Whether reportable:

Yes/ No