



RFA No.1452 of 2023 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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RFA No.1452 of 2023 (O&M)

Date of Decision: 05.05.2026

SUBE SINGH (SINCE DECEASED) TH. HIS LRS. & ORS. ...Appellants

Vs

LAND ACQUISITION COLLECTOR-CUM-DISTRICT REVENUE OFFICER,
JHAJJAR AND ANR.Respondents

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

Present: Mr. Vikrant Hooda, Advocate
for the appellants.

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

HARKESH MANUJA, J. (Oral)

CM Nos.3996-CI of 2023

Prayer made in the application is for deleting the name of Sh. Jatinder
s/o Sh. Randhir Singh from the memo of parties.

Notice in the application.

Learned State counsel accepts notice on behalf of the
respondents/State and raise no objection to the prayer made in the application.

Upon hearing learned counsel for the parties and for the reasons
mentioned in the application, the same is allowed. Name of Sh. Jatinder s/o Sh.
Randhir Singh is ordered to be deleted from the memo of parties.

CM Nos.3997-CI of 2023

Prayer made in the application is for impleading the applicant(s) as
legal representative(s) of deceased/appellant Nos.1, 3 and 9.

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For the reasons mentioned in the application, the same is allowed, subject to all just exceptions and the applicant(s) as mentioned in paragraph Nos.2, 4 and 6 of the application are ordered to be impleaded as legal representative(s) of deceased/appellant Nos.1, 3 and 9 respectively in order to pursue the present case.

CM Nos.3995-CI of 2023

By way of present application, prayer has been made for condoning the delay of 3766 days in filing the present appeal.

In pursuance of notice in the application, no reply on behalf of respondents/State has been filed.

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

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 Kheri Jassaur, Tehsil Bahadurgarh, District Jhajjar along with solatium and other statutory benefits, in view of judgment dated 05.10.2021 passed by the this Court in **RFA No.5620 of 2013 (O&M) with other connected cases** titled '***HSIDC (now Haryana State Industrial & Infrastructure Development Corporation Ltd.) through its Division Town Planner, HSIIDC, C-13-14, Sector 6, Panchkula, Haryana Vs. Rattan Singh and others***'.

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



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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 3766 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 11.05.2011 passed by the learned Addl. District Judge, Jhajjar-cum-Reference Court whereby Reference Petition under Section 18 of the Land Acquisition Act, 1894 preferred at the instance of appellant(s)/landowner(s) was partly allowed while awarding them compensation @ Rs.12,50,000/- per acre for the acquired land 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 Kheri Jassaur, Tehsil Bahadurgarh, District Jhajjar the market value stands increased to Rs.14,14,765/- per acre at uniform rate vide judgment dated 05.10.2021 passed by the this Court in RFA No.5620 of 2013 (O&M) with other connected cases titled '*HSIDC (now Haryana State Industrial & Infrastructure Development Corporation Ltd.) through its Division Town Planner, HSIIDC, C-13-14, Sector 6, Panchkula, Haryana Vs. Rattan Singh and others*'.

[3]. Accordingly, the present appeal is disposed of in terms of the decision rendered in *Rattan Singh's* case (supra) and the appellant(s) 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. However, the appellant(s) shall not



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be entitled to interest on the enhanced compensation for the period of delay in re-filing as well as filing the appeal.

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

May 05, 2026
Atik

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No