

2026:PHHC:041117



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

**CR-4220-2022 (O&M)
Decided on:-16.03.2026**

State of Haryana thr. Collector, Kaithal and anr.Petitioners.

vs.

Jasmer and ors ..Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Komal Sharma, DAG, Haryana,
for respondents No.4 and 5.

None for the respondents.

HARKESH MANUJA J. (Oral)

1. By way of present revision petition, challenge has been laid to an order dated 17.08.2021 passed by the Court of learned Additional District Judge, Kaithal-cum-Executing Court, whereby the private respondents were held entitled for award of similar benefit of market value as was granted to their co-sharers in the acquired land.

2. Despite service, no one has appeared on behalf of the respondents.

3. I have heard learned counsel for the petitioners and gone through the averments made in the present petition.

4. In the present case, there is no dispute that some of the co-sharers of the respondent(s)-landowner(s) preferred reference under

Section 18 of the Land Acquisition Act, 1894 as well as the Regular First Appeals before this Court for enhancement of compensation, vide decision dated 01.05.2012 passed in RFA-1714-2009, titled “*State of Haryana etc vs. Pala Ram etc.*”

5. In view of the latest exposition of law by the Hon’ble Apex Court vide decision dated 13.01.2026 passed in ***Civil Appeal No(s).391 – 398 of 2026 @slp (C) No(S).4532-4539 of 2023***, titled “***Ramphal & Ors. Versus Haryana State Industrial And Infrastructure Development Corporation Limited & Ors***”, wherein the Hon’ble Supreme Court has been pleased to uphold the claims made by the co-sharers with regard to seeking of similar amount of compensation as granted in favour of co-owners in the acquired land, however, restricted the award of interest. Relevant paras 11 to 14 from the aforesaid decision dated 13.01.2026 are extracted hereunder:-

“11. In fact, we have been informed at the Bar by the learned counsel appearing for the appellants, which is not seriously disputed by the learned senior counsel appearing for the respondents, the fact that the land which was acquired, has been utilized for the purposes of formation of industrial sites and allotted to the needy persons in accordance with the Rules then prevalent. In other words, the acquiring body is also benefited to certain extent, which is an instrumentality of the State. Thus, the scales have to be balanced in this scenario.

12. We are of the considered view that apart from the compensation, the appellants would be entitled to the interest for a period of five years to be reckoned from today backwards and we make it explicitly clear that the appellants are not entitled for any interest for any other period. We would also hasten to add that the appellants would be entitled to all other consequential benefits which flow from award of compensation and the respondent(s) authorities shall compute the compensation as has been determined by the award passed under Section 18 of the Act and/or modified by the High Court or this Court in exercise of appellate jurisdiction.

13. The said determination shall be made by the authorities expeditiously and at any rate within an outer limit of three months from the date of this order and the amounts so determined shall be disbursed within an outer limit of three months for such determination with interest as specified therein.

14. *In the event of time line which has been fixed by this Court is not adhered to by the respondent(s) authorities, they shall be liable to pay interest @ nine per cent (9%) on the amounts so determined from the date of such determination.”*

6. In view of the aforesaid decision rendered by the Hon’ble Supreme Court, the present petition being devoid of merits is hereby dismissed.

7. The learned Executing Court is requested to expedite the release of compensation amount in favour of respondent(s)-landowner(s) while keeping in view the specific and categoric directions issued in ***Ramphal’s case (supra)***, especially when it has not been disputed by the petitioner(s) that the respondent(s)-landowner(s) happened to be the co-sharers of the applicant(s) who preferred references under Section 18 of the Land Acquisition Act, 1894 and enhancement was ordered in their favour. The respondent(s)-landowner(s) shall also be entitled to the award of market value which was finally determined with respect to the related acquisition.

8. Pending application, if any, also stands disposed of.

16.03.2026
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(HARKESH MANUJA)
JUDGE

(i) Whether speaking/reasoned: Yes/No (ii) whether reportable: Yes/No