

2028.PHHC.026917



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA-1088-2016 (O&M)

Date of Decision: February 19, 2026

SARWAN SINGH

.....Appellant

Versus

STATE OF PUNJAB & ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vivek Aggarwal, Advocate for the appellant.

Mr. Gunjan Mehta, Addl. A.G. Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present appeal, challenge has been laid to the orders dated 20.07.2000 and 27.08.2015 passed by the learned Additional District Judge, Hoshiarpur (for short 'Reference Court') whereby the reference petition filed under Section 18 of the Land Acquisition Act, 1894 and restoration application under section 151 of CPC of the Land Acquisition Act, 1894 (hereinafter referred to as 'the Act') filed by the appellant-landowner was dismissed.

2. Briefly stating, certain land measuring 26 kanals 16 marlas, situated within the revenue estate of Village Khawaspur Piplanwala, Tehsil and District Hoshiarpur was acquired for the public purpose, namely, for "construction of Ring Road Hoshiarpur-Phase No.III, Group No.IV connecting Hoshiarpur-Phagwara Road to Hoshiarpur-Jalandhar Road in District Hoshiarpur" vide notification dated 02.08.1993 issued under Section 4 of the Act. The Land Acquisition Collector (for short 'LAC') passed Award dated 01.03.1996 assessing the market value along with other statutory benefits as under:

Kind of Land	Rate per acre
Chahi	Rs. 98240/-
Banjar Qadim	Rs. 63280/-
Gair Mumkin Bhatta	Rs. 63280/-
Gair Mumkin Rasta	Rs. 63280/-

3. Dissatisfied with the Award dated 01.03.1996, the appellant/landowner(s) sought reference under Section 18 of the Act which was dismissed by the learned Reference Court for want of evidence vide order dated 20.07.2000. An application seeking restoration of the same was preferred after almost 13 years on 21.05.2013 which was also dismissed by the learned Reference Court on 27.08.2015. Thereafter, the present appeal was filed, assailing the order dated 20.07.2000 and 27.08.2015. Vide order dated 27.01.2017, this Court while condoning the delay in filing the present appeal as regards the decision dated 20.07.2000 has already observed that in order to balance the equities, the appellant shall not be entitled for interest for the delayed period of 5540 days.

4. I have heard learned counsel for the parties and gone through the paper-book

5. Concededly, the other similarly situated landowners pertaining to the same acquisition proceedings have already been held entitled for the amount of enhanced compensation by the Id. Reference Court vide judgment dated 06.11.2002 which has further been enhanced by this Court vide order of the even date in **RFA-1916-2003** titled **Ajit Singh Dhami and Anr. V. Punjab State and Anr.**

6. Based thereupon and applying the principle of parity, besides grant of just and fair compensation, the landowners/applicants being similarly situated are held entitled for grant of similar amount of compensation,

however, without any payment of interest for the period of delay in filing the present appeal.

7. Accordingly, the present appeal is disposed of in the same terms as *Ajit Singh Dhami's case (supra)*.

8. Wherever the landowner(s) has/have unfortunately expired in the appeal(s)/cross-objection(s) after filing thereof and the legal heirs have not been impleaded, they shall be at liberty to seek execution of the present decision by moving appropriate applications before the learned Executing Court.

9. Pending application(s), if any, shall also stand disposed of.

19.02.2026
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>