

2026:PHHC:033910



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

RFA-2014-2021 (O&M)
Decided on:-05.03.2026

Rangi and othersAppellants.

vs.

State of Haryana and others .Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Pawan Sharma, Advocate for the appellants.

Mr. Abhinash Jain, DAG, Haryana.

HARKESH MANUJA J. (Oral)

CM-4441-CI-2021

Prayer in this application is for condonation of delay of 76 days in re-filing the appeal.

Having heard learned counsel for the parties and gone through the contents of the application, sufficient cause is made out for condoning the delay.

Accordingly, application is allowed and delay of 76 days in re-filing the appeal is condoned.

CM-4442-CI-2021

1. Prayer in this application is for condonation of delay of 3551 days in filing the appeal.

2. No reply has been filed on behalf of the respondents-State, however, learned counsel for the respondents vehemently opposes the prayer

made in the application and prays for dismissal of the application.

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

4. Concededly, the other similarly situated landowners pertaining to the same acquisition proceedings have already been held entitled for the enhanced amount vide judgment dated 09.10.2017 passed by the Hon'ble Apex Court in Civil Appeal No.17022 of 2017 titled as ***“Umesh Gupta vs. The State of Haryana”***.

5. Based thereupon, besides applying the principle of parity, the applicants-landowners being similarly situated, are entitled for grant of similar benefits, 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."

6. In view of the discussion made hereinabove, the application is allowed and delay of 3551 days in filing the appeal is hereby condoned.

Main case

1. At the outset, learned counsel for the appellants submits that the present appeal is squarely covered by the judgment dated 09.10.2017 passed by the Hon'ble Apex Court in ***Umesh Gupta's case (supra)***, whereby, the market value of the acquired land was re-assessed at the rate of Rs.290/- per sq. yard. The relevant portion of the judgment is reproduced hereunder:-

"Considering the comparative sale evidence that has been adduced in the cases of Gurdev and Hansraj (supra) and even otherwise if we work out the price even from the method of adopting the determination made in the awards, certain deductions will have to be made for development and smallness of area as well. Considering entire evidence we deem it appropriate to work out the compensation at the rate of Rs.290/- per sq. yard. The amount granted by the High Court stands reduced to the aforesaid extent."

- 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 ***Umesh Gupta'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 ***Umesh Gupta's case (supra)***.

5. It is further added that the appellants-landowners shall not be entitled to interest for the period of delay of 3551 days in filing the appeal.

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

05.03.2026
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(HARKESH MANUJA)
JUDGE

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