

2026:PHHC:010398



148 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RFA-159-2023 (O&M)

Decided on:-22.01.2026

Gurdev Singh

....Appellant..

vs.

State of Haryana and another

.Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Ishan Singh Cooner, Advocate for the appellant.

Mr. Abhishek Yadav, DAG, Haryana.

HARKESH MANUJA J. (Oral)

CM-598-CI-2023

1. This is an application for condoning the delay of 1037 days in filing the appeal.
2. Notice of the application was issued on 19.05.2023, but till date, 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 of compensation vide judgment dated 10.01.2020 passed by this Court in a bunch of appeals with lead case bearing RFA-1235-2018,

titled as ***“Smt. Ram Kaur vs. State of Haryana and another”***.

5. Based thereupon, besides applying the principle of parity, the applicant-landowner being similarly situated, is entitled for grant of similar amount of compensation, however, without any payment of interest for the period he 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 1037 days in filing the appeal is hereby condoned.

RFA-159-2023 (O&M)

1. At the outset, learned counsel for the appellant(s) submits that the present appeal is squarely covered by the judgment dated 10.01.2020 passed by this Court in a bunch of appeals with lead case bearing RFA-1235-2018, titled as **“Smt. Ram Kaur vs. State of Haryana and another”**.

The relevant portion of the said judgment reads as under:-

“71. Relief

(i) Accordingly, for the notification dated 30.11.2006, market value is fixed @ Rs.1873/- per sq.yard (Rs.90,65,320/- per acre), for the land falling within 2 acres (440 feet) from the National Highway No.21-A and within the Municipal limits of Pinjore, at the time of Section 4 notification. For the land beyond the said distance or outside the Municipal limits, the market value would be @ Rs.1500/- per sq.yard (Rs.72,60,000/- per acre), along with all statutory benefits.

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(iv) The State shall also comply with the directions laid down by the Apex Court in **Haryana State Industrial Development Corporation Vs. Pran Sukh & others 2010 (11) SCC 175**, to ensure that the landowners are not fleeced by the middleman, which read as under:

(a) The Land Acquisition Collector shall depute officers subordinate to him not below the rank of Naib Tahsildar, who shall get in touch with all the land owners and/or their legal representatives and inform them about their entitlement and right to receive enhanced compensation.

(b) The concerned officers shall also instruct the land owners and/or their legal representatives to open savings bank account in case they already do not have such account.

(c) The bank account numbers of the land owners should be given to the Land Acquisition Collector within three months.

(d) The Land Acquisition Collector shall deposit the cheques of compensation in the bank accounts of the land owners.

(v) The entitlement of the landowners would be to the amounts awarded above along with statutory benefits. The State would also be entitled to make adjustment of the amounts which have already been paid during the litigation.”

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- 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 *Smt.Ram Kaur'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 *Smt.Ram Kaur's case (supra)*.
5.
- It is further added that the appellant(s) shall not be entitled to interest for the period of delay of 1037 days in filing the appeal.
6.
- Pending application, if any, also stand disposed of.

22.01.2026
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(HARKESH MANUJA)
JUDGE

(i) Whether speaking/reasoned: Yes/No

(ii) Whether reportable: Yes/ No