

2026/PHHC/050618



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA-26-2025 (O&M)

Date of Decision: April 01, 2026

KARAN SINGH (SINCE DECEASED) THR. LRS AND ORS.

..Appellants

Versus

STATE OF HARYANA AND ORS.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sandeep Prakash Chahar, Advocate for the appellants.

Mr. Abhinash Jain, DAG, Haryana.

Mr. Nischal Chetanya Manchanda, Advocate
for the respondent-HSIIDC.

HARKESH MANUJA, J. (ORAL)

CM-91-CI-2025 and CM-92-CI-2025

These are applications for bringing on record the legal heirs of appellant Nos.2 and 3 respectively who have unfortunately died.

For the reasons mentioned in the applications, the same are allowed, subject to all just exceptions and the applicants as mentioned in paragraph No.2 of respective applications are ordered to be impleaded as legal representatives of deceased-Mahabir Singh-appellant No.2 and deceased-Sarjo Devi-appellant No.3 in order to pursue the present appeal.

Amended memo of parties be taken on record.

CM-1230-CI-2026

This is an application filed under Section 151 CPC for preponing the date fixed in the main appeal.

Having heard learned counsel for the applicants-petitioners and gone through the contents of the application, sufficient ground is

made out for preponing the date of hearing of the main case and the same is thus, allowed. The main appeal is taken on board today itself.

CM-99-CI-2025

Prayer made in this application is for seeking permission to lead additional evidence by placing on record some relevant documents viz. photocopies of the Register maintained by the office of DRO-cum-LAC, Rohtak and application with the report dated 02.09.2024 as Annexures A-1 and Annexure A-2.

Upon notice, reply on behalf of respondent Nos.3 and 4 has been filed, the same is taken on record.

Having heard learned Counsel for the parties; the authenticity of the documents sought to be produced not being in dispute at the hands of respondent Nos.3 & 4; taking into account the findings recorded by the learned Reference Court wherein the claim of the appellants-landowners has been denied being barred by limitation, the documents sought to be produced are very much required for the complete and effective adjudication of the appeal in hand. It would assist the Court to decide the rights of the parties in an effective manner; otherwise also, the document sought to be produced are from the records of the respondent(s) only which they suppressed before the learned Reference Court. Accordingly, the prayer is allowed and the same are taken on record as additional evidence.

CM No.90-CI of 2025

In pursuance to the notice, reply to the application for condonation of delay of 2964 days in filing the present appeal has been filed on behalf of the respondent Nos.3 & 4, the same is taken on record; wherein it is prayed that the present application is liable to be dismissed as the appeal in hand is not maintainable.

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

As a matter of fact, in the reference petitions preferred at the instance of appellants-landowners, previously an award passed by the learned Reference Court was challenged before this Court by way of RFA No. 10780 of 2014, however, the same was withdrawn by the appellant(s)-landowner(s) vide order dated 22.08.2016 with liberty to

move Review Application before the learned Reference Court. Thereafter, the reference petition(s) preferred by the appellant(s)-landowner(s) were again dismissed being barred by limitation without appreciating the receipt/records maintained by the office of DRO-cum-LAC, Rohtak qua filing of objections by the appellant(s)-landowner(s) under Section 18 of the Land Acquisition Act, 1894 (for short 'the Act'). No receipt dated 22.09.2009, as referred to in the impugned award as well as application and report dated 02.09.2024 was placed on record by the respondents. On the other hand, the documents taken on record in the form of additional evidence as Annexures A-1 and A-2 have neither been referred to nor dealt with by the learned Reference Court.

In such circumstances, there being no delay on the part of the appellant(s)-landowner(s) while preferring objections under Section 18 of the Act, which as per Annexure A-1 were within time, present appeal preferred at the instance of applicant(s)-appellant(s) was not to be held being barred by limitation, especially when they were diligently pursuing their remedies. In fact, it is the learned Reference Court which, on account of the oversight, failed to take into consideration the correct records of receipts of reference petition(s)-objections filed under Section 18 of the Act and thus, the delay was not to be attributed to the applicant(s)-appellant(s)/landowner(s) by putting them to any disadvantageous position.

Moreover, no evidence was led by the respondents so as to establish that any notice under Section 12(2) of the Act was ever served upon the appellant(s)-landowner(s) or any copy of the award passed under Section 11 thereof was forwarded to them. Even no evidence was brought on record by the respondent(s) to show that the amount of compensation assessed under the award passed by the LAC was disbursed to the appellant(s)-landowners(s) before the filing of reference petition(s).

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 acquired land falling in the same revenue estate, i.e. Village Garhi Bohar, District Rohtak, in view of judgment/order dated 14.11.2022 passed by

this Court in a bunch of appeals, lead case of which was ***RFA-10335-2014***, titled "***Malho and others Versus State of Haryana 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 held entitled for grant of similar amount of compensation.

In view of the discussion made hereinabove as well as from the contents of the application(s), the prayer is allowed and delay of 2964 days in filing the present appeals, as mentioned above, is hereby condoned. However, the applicants shall be entitled for interest for the period of delay in filing the appeal as well; as in the present case, admittedly, the applicant(s)-appellant(s) were not responsible for any delay and were even continuously pursuing their claim through different proceedings.

RFA-26-2025

By way of present appeal, challenge has been laid to the Award dated 26.08.2014 passed by the learned Addl. District Judge, Rohtak (hereinafter to be referred as the 'Reference Court').

[2]. At the very outset, learned counsel for the appellant(s) submits that the present appeal is squarely covered by the judgment dated 14.11.2022 passed by this Court in a bunch of appeals, lead case of which was ***RFA-10335-2014***, titled "***Malho and others Versus State of Haryana and others***" whereby, the market value of the acquired land situated in the revenue estate of village Garhi Bohar, District Rohtak acquired vide notification dated 13.02.2008 was re-assessed @Rs.41,38,750/- per acre. The relevant portion of the judgment passed in **Malho's case** (Supra) is reproduced hereunder:

"6.1 Keeping in view the aforesaid facts, the market value of the acquired land as on 13.02.2008 is assessed at the rate of Rs.41,38,750/- per acre. On perusal of the layout plan HC2 produced by the HSIIDC in additional evidence, it is evident that some part of the acquired land abuts National Highway no.10. The acquired land abutting the National Highway no.10 is assessed at the same rate as has been assessed with respect to the acquired land in Village Bohar i.e at the rate of Rs.44,69,547/- per acre."

- [3]. Learned counsel for the respondents are not in a position to controvert the above factual position.
- [4]. After going through the judgment referred to above as well as the present case, this Court agrees with the assertion made by the learned counsel for the appellant(s).
- [5]. Consequently, the present appeal is disposed of in the same terms as Malho's case (supra) and the landowners are held entitled for similar compensation @Rs.41,38,750/- per acre as awarded to all other similarly situated landowners along with all other statutory benefits and interests under the Act including interest on solatium.
- [6]. All pending application(s), if any, shall also stand disposed of.

01.04.2026
Tejwinder

(HARKESH MANUJA)
JUDGE

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