

2026:PHHC:057530



CWP No.36420 of 2025 (O&M)

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

210-U

CWP No.36420 of 2025 (O&M)
Date of Decision:16.04.2026

KANWAR SINGH AND ANOTHER

.....Petitioners

Vs

STATE OF HARYANA AND ANOTHER

....Respondents

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Chanderhas Yadav, Advocate
for the petitioners.

Ms. Komal Sharma, D.A.G., Haryana.

HARKESH MANUJA, J. (Oral)

1. Written statement of Sh. Ashish Kumar, Land Acquisition Collector, Urban Estate Department, Rohak, on behalf of respondent No.1 and 2 has been filed in the Court, the same is taken on record.
2. By way of present writ petition, prayer has been made on behalf of the petitioners-landowners for the release of statutory interest in their favour on account of delayed disbursement of the compensation amount in terms of award dated 04.07.2014 passed by the Land Acquisition Collector, Urban Estate Department, Rohtak.
3. Briefly stating, certain land owned by the petitioners, situated in the revenue estate of Village Jhajjar, District Jhajjar came to be acquired vide notifications dated 07.07.2011 and 06.07.2012 issued under Sections 4 and 6 of the Land Acquisition Act, 1894 (hereinafter referred to as '1894 Act'). Award under Section 11 of the Act was announced on 04.07.2014. In the meanwhile, the petitioners-landowners applied for grant of benefits under the Land Pooling



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Scheme. The factum of entitlement of the petitioners-landowners under the Land Pooling Scheme was even acknowledged by the LAC in the award. However, factually the said benefit was not available to the petitioners-landowners as their land was acquired for the purpose of development of institutional and partly commercial, road widening and green belt of Sector 10, Jhajjar (Institutional and Commercial).

4. This fact was never brought to the notice of the petitioners-landowners. As such, they continued to wait for the grant of benefits under the Land Pooling Scheme. Admittedly, as per para no.4 of the reply, the compensation amount determined vide Award dated 04.07.2014 was deposited before the learned Additional District Judge only on 18.08.2025 and thereafter the petitioners were made aware of the fact that the benefit under the Land Pooling Scheme was not available to them. In such circumstances, the petitioners claim award of statutory interest in terms of Section 34 of 1894 Act for the period between 04.07.2014 and 18.08.2025.

5. On the other hand, learned counsel for the respondents submits that there was no delay on the part of the respondents towards the release of compensation amount as the petitioners-landowners had applied for the grant of benefit under the Land Pooling Scheme and as soon as those applications were withdrawn, the amount of compensation under the award was deposited before learned the learned Additional District Judge on 18.08.2025. It was thus, prayed that the writ petition was liable to be dismissed.

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



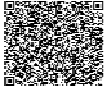
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7. Undisputedly, the land in question was acquired for development of Sector 10 Jhajjar (Institutional and Commercial), and in such circumstances, the Land Pooling Scheme was not applicable to such acquisition. In fact, the petitioners-landowners were treated in an unfair manner by the respondents. The petitioners were made to apply under the Land Pooling Policy which was not at all applicable to them, however, compensation amount was wrongly withheld. Moreover, it has not been disputed that the possession of the land was taken over from the landowners-petitioners as on the date of passing of the award itself.

8. In such circumstances, the fault lies with the respondents for delaying the disbursal of compensation amount in favour of petitioners-landowners for no justified reasons. Moreover, the issue in hand has already been discussed in detail by this Court in CWP No.27766 of 2018 decided on 11.09.2025. Relevant paragraph Nos.9 and 9.1 are extracted hereunder:-

9. Furthermore, the award in the present case was passed on 04.07.2014 and the possession of the acquired land was taken there and then by the respondents, however, the payment was released in favour of the petitioners on 27.12.2017. Initially, the compensation was not released in favour of the petitioners as they had applied for the benefit under the Land Pooling Scheme in terms of the specific stipulation made in the award dated 04.07.2014 by the LAC. As per annexure P-4, the petitioners were communicated only on 05.07.2017 that the Land Pooling Scheme was not applicable to the present acquisition which was carried out for carving Sector 10, Jhajjar for public utilities and commercial sector. As per the records, it was thereafter only on 27.12.2017, the compensation amount was released in favour of petitioners/ landowners as per award dated 04.07.2011.

9.1 Apparently, on account of specific stipulation been made in the award dated 04.07.2014 by the LAC about offering of the benefit of land pooling to the landowners, the respondents misguided and misrepresented them for making them applying under the Land Pooling Scheme and



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thereafter remained sitting tight on such applications for years together without responding or without even reverting that the said policy was not applicable to the present acquisition proceedings. In such circumstances, the delay in disbursal of compensation in favour of the landowners is purely attributable to the respondents and thus they are found obligated to pay interest to the landowners/petitioners from the date of award i.e. 04.07.2014 till the date of actual release of payment i.e. 27.12.2017, in accordance with Section 34 of the Act.”

9. In view of the aforesaid, the present writ petition is disposed of in terms of judgment passed by this Court in CWP No.27766 of 2018 decided on 11.09.2025. Accordingly, the petitioners shall be entitled for release of statutory interest under Section 34 of 1894 Act, from the date of award till the date of disbursement of compensation amount. It is further directed that the needful be done within a period of two months from today else, respondent No.2 shall be liable to pay cost of Rs.50,000/- to the petitioners towards delay as well as cost on account of unnecessary and uncalled for litigation.

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

April 16, 2026
Atik

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No