

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 9316 of 2026**

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PREMJIBHAI MAVJIBHAI VADHER

Versus

STATE OF GUJARAT & ORS.

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Appearance:

KUSHAL V. TIMBADIA(5922) for the Petitioner(s) No. 1

MR TUSHAR L SHETH(3920) for the Petitioner(s) No. 1

MR.SANJAY UDHWANI, ASST.GOVERNMENT PLEADER for the Respondent(s) No. 1,2,3,4

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CORAM:**HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL**
and
HONOURABLE MR.JUSTICE D.N.RAY

Date : 28/07/2026

ORAL JUDGMENT

(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)

1. This is a wholly misconceived petition filed after a period of 10 years without any explanation as to the laches in approaching this Court.

2. The only submission made by the learned counsel for the petitioner towards laches is that the petitioner was making representations before the competent authority, which cannot be accepted as sufficient to entertain the present petition, wherein interest over statutory interest under Section 80 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, "the Act' 2013") is being claimed by the petitioner after a period of more than 10 years.

3. Pertinent is to note that the original award with respect to the land in question was declared on 04.09.2015. The petitioner made contentions about the non-payment of interest under Section 80 included in the said award dated 04.09.2015 within a reasonable time.

4. The assertion in the writ petition is that since interest amount was not paid to the petitioner, he made representations to the competent authority over the period of years and the same was ultimately paid to the petitioner on 31.12.2021. No proof of the said payment has been brought on record.

5. Apart from the bald statement made in the writ petition that Section 80 interest was not paid to the petitioner though included in the award dated 04.09.2015, there is nothing on record to demonstrate that the compensation amount determined under the award dated 04.09.2015 was paid to the petitioner in two parts. There is absolutely no reason of making any part payment when the interest was already included in the original award. The statement in para '5' of the writ petition is only that the amount of compensation was paid to the petitioner on 20.10.2015.

6. Further, the petitioner also made several representations before the competent authority for payment of multiplication Factor 2 and a supplementary award dated 24.01.2024 has been declared, as per own statement made in the writ petition, for re-determination of compensation by applying multiplication Factor 2, which was ultimately paid to the petitioner on 21.03.2024.

7. It is stated that the interest on the amount of Factor 2 was also paid to the petitioner on 05.09.2024.

8. The statements in the writ petition with regard to payment of compensation towards the original award dated 04.09.2015 are, thus, incomplete. Even the total amount of compensation paid under the original award dated 04.09.2015 has not been disclosed in the writ petition.

9. In view of the above, the contentions in the writ petition that there is a belated payment of interest amount determined under the original award dated 04.09.2015, is unacceptable.

10. In any case, there is no justification for entertaining this writ petition after a period of 10 years on the bald plea of the delay in payment of only interest part, though included in the amount of compensation determined under the award dated 04.09.2015.

11. For the above, the prayers made in the writ petition are found to be misconceived and hence, rejected.

12. With the above, the present petition is found to be misconceived and hence, dismissed. No order as to costs.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

SAHIL S. RANGER