



2026:PHHC:058644

[1]

2026:PHHC:058644



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

I) RFA-3974-2018 (O&M)

Ram Kumar (since deceased) through his LRs

...Appellants

Versus

State of Haryana and others

...Respondents

II) RFA-6296-2018 (O&M)

Sat Narain (since deceased) through his LRs

...Appellants

Versus

State of Haryana and others

...Respondents

III) RFA-719-2022 (O&M)

Bal Swaroop (since deceased) through his LR

...Appellant

Versus

State of Haryana and others

...Respondents

Reserved on: 09.04.2026

Pronounced on: 20.04.2026

Pronounced fully/operative part: Fully

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Argued by: Mr. Saurabh Dalal, Advocate for the appellant
in RFA-719-2022.

Ms. Inderpal Kaur, Advocate and
Mr. Akash Mehra, Advocate for
Mr. Ajay Ghangas, Advocate for the appellants
in RFA-3974-2018.

Mr. Amit Kumar Jain, Advocate
for the appellant in RFA-6296-2018.

Mr. Gaurav Garg, AAG, Haryana.

Mr. S.S. Mor, Advocate for respondent No.2 in RFA-6296-2018.

**DEEPAK GUPTA, J.**

This order shall dispose of three Regular First Appeals filed under Section 54 of the Land Acquisition Act, 1894, seeking enhancement of compensation awarded for the acquired land. Each appeal is accompanied by an application for condonation of substantial delay ranging from 4983 to 5562 days.

Application for Bringing Legal Representatives on Record :

2. In RFA-3974-2018, **CM-9189-CI-2018** has been filed under Order 22 Rule 3 CPC for substitution of legal representatives of deceased appellant Ram Kumar.

3. For the reasons stated in the application, duly supported by an affidavit, the same is allowed. The persons mentioned therein are taken on record as legal representatives. Amended memo of parties is also taken on record.

Applications for condonation of Delay :

4. All the three appeals are accompanied by separate applications for condonation of delay of substantial period, as per the following table :

- **CM-9188-CI-2018** in RFA-3974-2018 - delay of 5014 days.
- **CM-12460-CI-2018** in RFA-6296-2018 - delay of 4983 days.
- **CM-1558-CI-2022** in RFA-719-2022 - delay of 5562 days.

5. The question is whether such inordinate delay in filing the appeals deserves to be condoned. The State has opposed the applications, contending that the appellants, having approached this Court after an extraordinary lapse of time, cannot be permitted to claim the benefit of enhancement granted to other landowners.

6. However, it is not disputed that the lands of the present appellants form part of the same acquisition proceedings initiated vide notification dated 12.05.1995 issued under Section 4 of the Act, followed by declaration under Section 6 dated 10.05.1996, for development of residential and



commercial sectors 9 & 9A at Bahadurgarh. The compensation determined under the original award by the collector, as well as the subsequent adjudications by reference court and then by this High Court, has undergone multiple stages of judicial scrutiny, culminating in the judgment of the Hon'ble Supreme Court dated 17.11.2017 in ***Rajender Singh and others v. State of Haryana (Civil Appeal No.19354 of 2017)***, whereby the market value of similarly situated lands has been finally determined.

7. In this backdrop, the question of limitation is required to be examined not in isolation, but in the context of the settled legal principles governing land acquisition matters. It is by now well established that in cases involving compulsory acquisition of land, courts are required to adopt a liberal and justice-oriented approach while considering applications for condonation of delay. The underlying rationale is that a landowner, who has been deprived of his property by the State, cannot be denied just compensation merely on account of delay, particularly when other similarly situated landowners have already been granted enhanced compensation.

8. The principle of parity assumes considerable significance in such matters. Denial of the same compensation to landowners, whose lands are covered by the very same notification would result in an anomalous and inequitable situation, offending not only the concept of fairness but also the equality clause enshrined in Article 14 of the Constitution. Further, the right to property under Article 300-A, though no longer a fundamental right, continues to be a valuable constitutional right, which mandates that deprivation thereof must be accompanied by just, fair and reasonable compensation.

9. At the same time, the courts have evolved a balanced approach to safeguard the interests of the State by denying interest for the period of delay, thereby ensuring that while substantive justice is done, the financial burden arising out of inordinate delay is not unjustly imposed upon the State. Reference may be made to ***Collector, Land Acquisition,***



Anand Nag & Nr. Vs. Mst. Katiji & Ors, (1987) 2 SCC 107; Delhi Air Tech Services Pvt. Ltd. v. State of U.P. & Anr., 2022 SCC Online SC 1408; and Coffee Board, Karnataka v. Commissioner of Commercial Tax, (1988) 3 SCC 263.

10. In **Dhiraj Singh (D) through LRs etc. v. State of Haryana & Ors., (2014) 14 SCC 127**; and in **Market Committee, Hodal v. Krishan Murari & Ors., (1996) 1 SCC 311**, long delays, running into several thousand days, were condoned by Supreme Court precisely to maintain parity between similarly situated landowners. Likewise, in **Huchanagouda v. Assistant Commissioner & LAO, (2020) 19 SCC 234**, while condoning long delays, Hon'ble Supreme Court balanced the equities by denying interest for the delayed period. The recent reiteration of these principles is found in **Suresh Kumar v. State of Haryana & Ors. (2025 INSC 550)**, where Hon'ble Supreme Court reiterated that delay alone cannot deprive a landowner of compensation that is otherwise lawfully due.

11. Applying the aforesaid principles to the facts of the present case, it is evident that the delay in filing the appeals cannot be said to be deliberate or mala fide. More importantly, refusal to condone the delay would result in denial of compensation at par with other landowners, whose lands were acquired under the same notification and who have already been granted enhanced compensation by the Hon'ble Supreme Court. Such a course would be legally untenable.

12. Accordingly, the delay in filing the appeals is condoned, subject to the condition that the appellants shall not be entitled to interest on the enhanced compensation for the period of delay.

Merits of the Appeals

13. Turning to the merits of the case, it is not disputed by either of the parties that the controversy involved in the present appeals is squarely covered by the judgment of the Hon'ble Supreme Court **dated 17.11.2017 in Rajender Singh and others v. State of Haryana**. The acquisition, the noti-



2026:PHHC:058644

[5]

2026:PHHC:058644



fications, the award, and the subsequent adjudications are common. There is no distinguishing feature, which would justify denial of the benefit of the said judgment to the present appellants.

14. Once the market value of the land acquired under the same notification has been finally determined by the Hon'ble Supreme Court, the principle of finality coupled with parity leaves no room for any further adjudication on the issue. The appellants are, therefore, entitled to compensation at the **same rate of ₹ 12 Lacs per Acre**, as has been awarded in the aforesaid judgment, along with all statutory benefits admissible under the Land Acquisition Act, 1894.

15. In view of the above discussion, the appeals are allowed. The appellants shall be entitled to an enhanced compensation in terms of the judgment dated 17.11.2017 passed by the Hon'ble Supreme Court in ***Rajender Singh and others v. State of Haryana (supra)***, along with all consequential statutory benefits. However, they shall not be entitled to any interest for the period of delay, as noticed hereinabove.

16. The appeals stand disposed of in the above terms. A photocopy of this order be placed on the files of connected cases.

20.04.2026

Yogesh

**(DEEPAK GUPTA)
JUDGE**

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No

Uploaded on: 20.04.2026