



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

RFA No.3424 of 2015 (O&M)

Date of Decision: 15.09.2025

Sahara Complex Private LimitedAppellant

Versus

Land Acquisition Collector and ors.Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. A.D.S. Sukhija, Advocate with
Mr. Sandeep Sharma, Advocate
for the appellant.

Mr. Abhinash Jain, DAG, Haryana.

Mr. Sharad Aggarwal, Advocate for respondent No.3.

HARKESH MANUJA, J. (ORAL)

By way of present appeal, challenge has been laid to an award dated 11.08.2014 passed by learned Reference Court-cum-Additional District Judge, Gurgaon, (now Gurugram) (for short 'the Reference Court').

2. In the present case, the land of the appellant was acquired vide notifications dated 25.01.2008 and 18.03.2008, issued under Sections 4 & 6, respectively of the Land Acquisition Act, 1894 (for short, "the Act"). Award under Section 11 of the Act was announced by the Land Acquisition Collector (for short, "LAC") on 23.12.2009, whereby, the market value was assessed at the rate of Rs.60 lacs per acre, besides grant of other statutory benefits.

3. On facts, learned counsel representing both sides are not disputing that the market value in relation to the present acquisition stands

**RFA No.3424 of 2015 (O&M)**

finally adjudicated upon by the Hon'ble Apex Court having granted the same as Rs. 4,06,34,750/- per acre vide its decision dated 05.09.2017 passed in SLP (Civil) Nos.11814-11864 of 2017.

4. However, learned counsel representing respondent No.3 submits that the appellant/ landowner was not entitled for grant of interest under Section 28 of the Act from the date of filing of the petition under Section 28A of the Act i.e. 26.12.2019 till the restoration of the present appeal by this Court on 08.09.2025. He also submits that the appellant was at best entitled for interest from the date of its withdrawal of the present appeal on 22.02.2021 till date of filing of the restoration application thereof on 31.07.2025.

5. On the other hand, learned counsel for the appellant submits that the appellant was continuously pursuing its remedies in accordance with law and therefore, could not be deprived of the benefit of statutory interest.

6. Heard learned counsel for the parties on the issue of award of interest.

7. The learned counsel representing respondent No.3 has not substantiated or supported his argument that the appellant can be deprived of the statutory interest payable under Section 28 of the Act for the period between 26.11.2019 to 08.09.2025. Once the petition filed on behalf of the appellant on 26.12.2019 in terms of Section 28-A of the 1894 Act was entertained and allowed by respondent No.3 on 28.08.2020 and thereupon only an application for withdrawal of the present appeal was filed on 17.02.2021 which was allowed by this Court on 22.02.2021, the appellant cannot be deprived of the benefit of statutory interest payable to it under Section 28 of the 1894 Act especially when the restoration of this appeal was allowed on 08.09.2025 for the reason that the order dated 28.08.2020

**RFA No.3424 of 2015 (O&M)**

passed by respondent No.3 was challenged before this Court by way of Civil Writ Petition No. 10907 of 2023.

8. Even the contention raised on behalf of respondent No.3 that the appellant is entitled for interest from 22.02.2021 till 31.07.2025, is also devoid of merits as the appeal was withdrawn on account of the fact that an application preferred at the instance of landowner having invoked Section 28 A of the Act was allowed by the LAC on 28.08.2020, thereby granting it the benefit of market value @ Rs.4,06,34,750/- per acre in terms of the decision rendered by the Hon'ble Apex Court in SLP (Civil) Nos.11814-11864 of 2017 and as such there was no purpose left with the appellant/landowner to have pursued the present appeal. It was only when the factum of challenge to the order dated 28.08.2000 by way of CWP No.10907-2023 came to the notice of the appellant, an application for restoration of the present appeal was immediately filed.

9. Moreover, detailed and comprehensive discussion on these aspects have already been made by this Court in its order dated 08.09.2025; whereby the application preferred at the instance of appellant/ landowner seeking recalling of the order dated 22.02.2021 was allowed.

10. In such circumstances, the present appeal is disposed of in terms of the decision dated 05.09.2017 passed by the Hon'ble Apex Court in SLP (Civil) Nos.11814-11864 of 2017, thereby extending the benefit of market value @ Rs. 4,06,34,750/- per acre in favour of the appellant/ landowner.

11. In such circumstances, finding no merit in the aforesaid contentions raised on behalf of respondent No.3, the same stand rejected. The appellant/ landowner shall be entitled for grant of all statutory benefits including interest payable under Land Acquisition Amendment Act,



1984.

12. Pending misc. application(s), if any, shall stand(s) disposed off.

15.09.2025
sanjay

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned?
Whether Reportable?

Yes/No
Yes/No