

2025:PHHC:121426



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

**CM-3557-CI-2023 in/and
RA-RF-241-2023
RFA-2659-2008 (O&M)
Decided on:-04.09.2025**

Balwinder Kaur

....Applicant/appellant..

vs.

State of Punjab and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Harsh Manocha, Advocate,
for the applicant-appellant.

Mr. Athar Ahmed, DAG, Punjab.

HARKESH MANUJA J.

CM-3557-CI-2023

1. By way of present application, prayer has been made for condoning the delay of 1960 days in filing the review application.
2. Learned counsel representing the respondent-State has failed to file reply to the application despite been afforded sufficient opportunity.
3. 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 land situated in revenue estate of Village Marauli Kalan/Marauli Khurd, Tehsil Kharar, District

Roopnagar (now SAS Nagar), to the tune of Rs.10,46,742/- per acre.

4. Based thereupon and applying the principle of parity, besides grant of just and fair compensation, the landowner/applicants being similarly situated is entitled for grant of similar amount of compensation, however, without any payment of interest for the period they failed to approach this Court for review of its previous decision. In this regard reliance can be placed upon the decision of Hon'ble Supreme Court in case of "**Ningappa Thotappa Angadi (Dead) through LRs Versus Special Land Acquisition Officer and Another**", 2020 (19) SCC 599.

5. In view of the discussion made hereinabove as well as on the basis of contents of the application, the prayer made herein is allowed. Accordingly, delay of 1960 days in filing the review application is hereby condoned.

RA-RF-241-2023

1. Prayer in the present application is for review of the order dated 18.01.2016 passed by this Court in RFA-2659-2008, which was decided in a bunch of appeals with lead case RFA-2207-2008 on 18.01.2016, being partially allowed by enhancing the compensation amount from Rs.6 lakhs to Rs.8 lakhs per acre.

2. Notice of the application.

3. Mr. Athar Ahmed, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

4. Although, the applicant did not challenge the decision dated 18.01.2016, passed by this Court, however, aggrieved thereof, some of the other similarly placed landowners filed SLP before the Hon'ble Supreme Court of India for enhancement of compensation on the ground that this

Court in RFA-3161-2009, titled as “*Jasmer Singh vs. State of Punjab*” awarded compensation to the tune of Rs.62,16,415/- per acre for the land of the same villages, whereas the difference between the date of two notifications was only three months. In the said SLP, the Hon’ble Supreme Court permitted the landowners to approach this Court again by filing review application. Thereafter, some of the landowners preferred review applications before this Court, which came to be allowed. Later on, the Hon’ble Apex Court vide its order dated 06.12.2017, set aside the judgment passed by this Court in *Jasmer Singh’s* case (supra) and remanded the case back to this Court for fresh hearing. Thereafter, all the cases were reheard and finally decided vide judgment dated 07.12.2019 in RFA-2208-2008.

5. Learned counsel for the parties are *ad idem* that the matter pertaining to the same acquisition/notification covering the same revenue estate i.e. Village Marauli Kalan/Marauli Khurd, Tehsil Kharar, District Roopnagar (now SAS Nagar) filed at the instance of few other land-owners came up before this Court, which was finally disposed of vide judgment dated 07.12.2019 passed in RFA-2208-2008 (O&M), titled as “**Bhag Singh vs. State of Punjab**”. Para 22 thereof being relevant is reproduced hereunder:-

22. *Resultantly, keeping in view the above, this Court is of the opinion that it would be just and appropriate if Rs.10,46,742/- per acre is awarded as the market value for the land of two villages i.e. Marauli Kalan (Mandouli Kalan) and Marauli Khurd (Mandouli Khurd) along with all statutory benefits.”*

6. In view of the above as well as on the basis of agreed stand taken

by both the sides on the factual aspects, the review application is disposed of in terms of decision dated 07.12.2019 passed in the case of **Bhag Singh** (supra) and the appellant is held entitled for similar market value @ Rs.10,46,742/- per acre along with all statutory benefits and interest available under the Land Acquisition (Amendment) Act, 1984. However, the appellant shall not be entitled to interest on the enhanced compensation for the period of delay in filing the present review application.

7. In view of judgment passed by the Hon'ble Apex Court in "**HSI IDC v. Pran Sukh**", (2010) 11 SCC 175, respondent No.1 is also directed to release the enhanced amount of compensation along with all statutory benefits within 03 months from today.

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

04.09.2025

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No

(HARKESH MANUJA)
JUDGE