



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

**CMs-4889-90-CI-2023 in/and
RFA No.589 of 2017 (O&M)**

Date of Decision: 01.09.2025

Daya Ram and ors.

.....Appellants

Versus

State of Haryana & Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Kulbhushan Sharma, Advocate
for the applicant-appellants/ landowners.

Mr. Abhishek Yadav, DAG, Haryana.

HARKESH MANUJA, J. (ORAL)

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Application for impleading LRs of appellant No.2-Sarda Ram is allowed, as prayed for, subject to all just exceptions. The applicants mentioned in para 2 of the application are ordered to be brought on record as legal representatives of appellant No. 2 (Sarda Ram), to pursue the present appeal.

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This is an application for recalling of the judgment dated 21.04.2017 passed in the main appeal.

2. Notice of the application to non-applicants/ respondents has already been issued on 02.08.2024.

3. In the present case, in pursuance to Haryana Govt. Notification under Section 4 of the Act issued on 07.02.2008, followed by Notification dated 06.02.2009 under Section 6 thereof, the land, including the land of

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appellant(s) and other landowners, situated in the revenue estate of Villages Fajjupur Majra Neemka, Bhatola, Neemka, Faridpur, Murtajapur and Badoli/Baroli, Tehsil & District Faridabad, was acquired. The public purpose for acquisition of the land was stated to be Development & Utilization as residential and commercial of Sectors 76 to 78, Faridabad. The Land Acquisition Collector, Urban Estate, Faridabad, Haryana (for short "LAC"), vide Award dated 04.02.2011, assessed the market value of acquired land @ Rs. 42,00,000/- per acre alongwith other statutory benefits.

4. Aggrieved thereof, the applicants preferred reference under Section 18 of the Land Acquisition Act 1894, for short 'the Act', wherein the Reference Court enhanced the compensation to Rs.1052/- per sq. yards. The said award of the Reference Court was assailed before this Court by way of accompanying Regular First Appeal which came to be disposed of by this Court vide order dated 21.04.2017 in terms of the order passed in RFA-7108-2012 titled as ***Rampal and others Vs. Land Acquisition Collector and anr.***"

5. Though the applicants did not assail the order dated 21.04.2017 passed by this Court before the Hon'ble Apex Court, however, other similarly situated landowners availed their remedies before the Hon'ble Supreme Court and the market value with respect to the present acquisition proceedings was finally determined vide judgment dated 14.07.2021 passed in Civil Appeal No. 2903-2021, titled as ***Banwari Lal and another vs. State of Haryana and ors.***

6. Both the learned counsel are *ad idem* that the present appeal is squarely covered with the judgment of ***Banwari Lal's case*** (supra), which is arising out of the same acquisition / Notification dated 07.02.2008 covering

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the same revenue estate i.e. Villages Fajjupur Majra Neemka, Neemka, Faridpur, Bhatola and Murtajapur Tehsil & District Faridabad, whereby the landowners have been held entitled for the enhanced amount of compensation @ Rs.2509/-, Rs.2186/-, Rs.1778/-, Rs.2396/- and Rs.2376/- per square yard, respectively, along with solatium and other statutory benefits.

7. Based upon the above, applying the principle of parity, besides award of just and fair compensation and also placing reliance upon the judgment rendered by the Hon'ble Apex Court in ***Ningappa Thotappa Angadi (Dead) through LRs Vs. Special Land Acquisition Officer and another, (2020) 19 SCC 599***, the landowners / appellants being similarly situated is held entitled for grant of similar amount of compensation as has been awarded to other landowners vide judgment dated 13/14.07.2021 in case of ***Banwari Lal*** (supra), alongwith all other statutory benefits and interest thereupon as provided under the Act, except for the payment of interest between 21.04.2017 i.e. the date of decision of the main appeal till the filing of the present recalling application dated 26.09.2023.

8. In view of the above, the application is allowed and the main appeal is ordered to be restored to its original number and taken up on board today itself.

MAIN CASE:

In view of the order passed in CM-4890-CI-2021, the main appeal is disposed of in terms of the judgment dated 14.07.2021 passed in Civil Appeal No. 2903-2021, titled as ***Banwari Lal and another vs. State of Haryana and ors.***, but without the payment of interest between 21.04.2017 i.e. the date of decision of the main appeal till the filing of the present recalling application dated 26.09.2023.



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

01.09.2025
sanjay

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned?	Yes/No
Whether Reportable?	Yes/No