

2025:PHHC:129685



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

**CM-996 & 997-CI-2025 in/and  
RFA-426-2025 (O&M)  
DECIDED ON:-17.09.2025**

Om Parkash and others

....Appellants..

vs.

State of Haryana and others

....Respondents.

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. S.P. Chahar, Advocate,  
for the appellants.

Mr. Abhinash Jain, DAG, Haryana,  
for respondents-State.

Mr. Pritam Singh Saini, Advocate,  
for respondents No.3 & 4.

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**HARKESH MANUJA J.**

**CM-996-CI-2023**

1. This is an application for condoning the delay of 49 days in filing the appeal.
2. Having heard learned counsel for the parties and gone through the contents of the application, prayer made herein is allowed and delay of 49 days in filing the appeal is condoned.

**CM-997-CI-2025**

1. This is an application for condoning the delay of 2785 days in re-filing the appeal.

2. Upon notice, reply on behalf of respondent No.3-HSIIDC has already been filed and *inter alia* prayer is for dismissal of the application.

3. I have heard learned counsel for the parties and gone through the contents of the application, which has been supported by an affidavit of Surender Singh-appellant No.4.

4. Concededly, the other similarly situated land owners pertaining to the same acquisition proceedings have already been held entitled for the enhanced amount of compensation pertaining to village Garhi Bohar, Tehsil and District Rohtak vide judgment dated 14.11.2022 passed by this Court in a bunch of appeals with lead case bearing RFA-10335-2014 (O&M), titled as ***“Malho and others vs. State of Haryana and others”***.

5. Based thereupon, besides applying the principle of parity, the land owners/applicants being similarly situated, is entitled for grant of similar amount of compensation, however, without any payment of interest for the period he failed to approach this Court after the decision in the reference Court. In this regard reliance can be placed upon the decision of Hon’ble Supreme Court in case of **Ningappa Thotappa Angadi (Dead) through LRs Vs. Special Land Acquisition Officer and Another, 2020 (19) SCC 599**.

In view of the discussion made hereinabove, the application is allowed and delay of 2785 days in re-filing the appeal is hereby condoned.

### **Main Appeal**

1. Learned counsel for the parties are *ad idem* that the matter in issue is squarely covered by the decision rendered by this Court in **Malho’s** case (supra), decided on 14.11.2022, wherein also the land situated in the same

revenue estate of Village Garhi Bohar, District Rohtak was acquired vide notification dated 13.02.2008, issued under Section 4 of the Land Acquisition Act, 1894, and for the same purpose i.e. setting-up of the Industrial Model Township. Relevant para 6.1 of the *Malho's* case (supra) is reproduced hereunder:-

*“6.1 Keeping in view the aforesaid facts, the market value of the acquired land as on 13.02.2008 is assessed at the rate of Rs.41,38,750/- per acre. On perusal of the layout plan HC2 produced by the HSIIDC in additional evidence, it is evident that some part of the acquired land abuts National Highway no.10. The acquired land abutting the National Highway no.10 is assessed at the same rate as has been assessed with respect to the acquired land in Village Bohar i.e. at the rate of Rs.44,69,547/- per acre.”*

2. Accordingly, the present appeal is disposed of in terms of the said decision and the appellants are held entitled for similar market value along with all statutory benefits and interest available under the provisions of amended Land Acquisition Act, 1984. However, the appellants shall not be entitled to interest on the enhanced compensation for the period of delay in re-filing the appeal i.e. 2785 days.

3. Pending application, if any, also stands disposed of.

17.09.2025

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**(HARKESH MANUJA)**  
**JUDGE**

Whether speaking/reasoned: Yes/No  
Whether reportable: Yes/ No