

2025:PHHC:053564



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

**CR-2448-2025 (O&M)  
Decided on:-03.05.2025**

Ram Kanwar and another ....Petitioners..

vs.

State of Haryana and others ...Respondents.

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

Present: Mr. Bhim Singh, Advocate  
for the petitioners.

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**HARKESH MANUJA J. (Oral)**

1. Prayer in the present civil revision petition is for issuance of direction to the learned Executing Court to decide the execution application bearing CIS No.EXE-1968 of 2023 dated 14.11.2023, titled as “*Ram Kunwar and another vs. State of Haryana and others*” within a time bound manner period.

2. Admittedly, land measuring 28 kanal, situated in the revenue estate of Village Kasan, Tehsil and District Gurugram, was acquired for the public purpose namely, for setting-up Industrial Model Township, Manesar, Phase-III, Tehsil and District Gurugram, followed by an award dated 24.12.2003, whereby, the Land Acquisition Collector, Gurugram awarded compensation @ of Rs.5,25,000/- per acre.

3. Feeling dissatisfied, the co-owners of the petitioners filed reference petition under Section 18 of the Land Acquisition Act, 1894 (*for brevity, 1894 Act*) before the Reference Court, which was allowed while

enhancing the compensation amount to Rs.28,15,849/- per acre.

3.1 Still feeling aggrieved, the co-owners of the petitioners approached this Court by way of regular first appeal, which was allowed while enhancing the compensation to Rs.41,40,000/- per acre. Thereafter, some land-owners filed SLP, which was decided on 11.01.2019 while modifying the judgment passed by this Court, thereby, reducing the market value of the acquired land pertaining to Village Kasan from Rs.41,40,000/- per acre to Rs.39,54,666/- per acre.

3.2 Subsequently, the present petitioners filed petition under Section 28-A of the 1894 Act, which came to be allowed vide order dated 17.03.2023 while awarding compensation of Rs.39,54,666/- per acre but till date amount has not been released. Thereafter, the petitioners filed execution application, which is still pending.

4. Learned counsel for the petitioners submits that the petitioners being aggrieved of the delay have filed the present revision petition for issuance of direction to the Executing Court concerned to decide the execution petition expeditiously, in a time bound manner.

5. I have heard the learned counsel for the petitioners.

6. A perusal of record shows that execution petition (Annexure P- 3) filed by the petitioners on 14.11.2023, is still pending and the petitioners are waiting to get their full amount of compensation on the basis of decision passed by the Hon'ble Supreme Court as well as LAC-cum-DRO, Gurugram vide order dated 17.03.2023.

7. In ***Rahul S. Shah Vs. Jinendra Kumar Gandhi and others (2021) 6 SCC 418***, the Hon'ble Supreme Court held as follow:-

*“That the executing Court must dispose of execution proceeding within 6 months from the date of filing which may be extended only*

*by recording reasons in writing for such delay.”*

8. In view of the aforementioned legal position, the Executing Court is requested to dispose of the execution CIS No.EXE-1968-2023 as expeditiously as possible, preferably within a period of next 06 months from today, as any further delay may cause serious prejudice to the rights of the petitioners-land owner.

Even otherwise, execution petition is maintainable in terms of judgment passed by a Division Bench of this Court in *CWP-9593-2016*, titled as *“M/s Arjun Fininvest Limited vs. State of Haryana and others”*, decided on 12.07.2016.

9. It is made clear that nothing stated herein-above shall be construed as an expression of opinion on the merits of the execution proceedings.

10. The present petition is disposed of in aforesaid terms without issuance of any notice to the respondents as it may cause further delay in the proceedings.

11. Pending application, if any, stands disposed of.

03.05.2025

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

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No