

2025:PHHC:066399



254-u IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CR-2934-2025 (O&M)  
Decided on:-15.05.2025

Shiv Kumar @ Shiv Kumar Sharma and others ....Petitioners..

vs.

State of Haryana and another ...Respondents.

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

Present: Ms. Anita Balyan, Advocate,  
for the petitioners.

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**HARKESH MANUJA J. (Oral)**

**CM-9741-CII-2025**

Prayer in this application is for impleading the legal representatives of petitioner No.3-Narender Kumar, who died on 16.10.2022

Having heard learned counsel for the applicant-petitioners and gone through the contents of the application, same is allowed and persons mentioned in para 2 of the application are ordered to be impleaded as the legal representatives of respondent No.3.

**Main case**

1. The petitioners, by way of present petition filed under Article 227 of the Constitution of India, seek issuance of directions to the Executing Court to decide the execution proceedings in Execution No. 30 of 2024, titled "Shiv Kumar and others vs. State of Haryana and others" within a time bound period in terms of decision dated 22.04.2021 rendered by the Hon'ble Apex Court in

Civil Appeal No(s). 1659-1660 of 2021, titled “**Rahul S Shah Versus Jinendra Kumar Gandhi & Ors.**”.

2. Admittedly, certain land owned by the petitioners-landowners was acquired vide notification dated 15.12.2006 and 14.12.2007 issued under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short “the Act”) respectively, followed by an award dated 03.07.2009 passed by the Land Acquisition Collector, whereby the petitioners-landowners and other persons were granted compensation to the tune of Rs.20 lakhs per acre. Feeling dissatisfied, the landowners filed petition under Section 18 of the Act, which was decided by the Reference Court vide award dated 05.07.2014.

3. Aggrieved thereof, the petitioners-landowners and other landowners filed Regular First Appeal before this Court, which was allowed vide order dated 16.03.2022 (Annexure P-1) enhancing the compensation to the tune of Rs. 42.51 lakhs per acre. Later, the petitioners filed the aforesaid Execution Petition No. 30 of 2024 on 20.02.2024 before the learned Additional District Judge, Rohtak for making payment of compensation to the petitioners, however, till date, the enhanced amount of compensation has not been disbursed to the petitioners and other landowners.

4 Learned counsel for the petitioners submits that the petitioners being aggrieved of the non-disbursal of amount of compensation has filed the present revision petition for issuance of direction to the Executing Court concerned to decide the execution application expeditiously, in a time bound manner.

5 Notice of motion.

6 On asking of the Court, Mr. Manish Dadwal, Assistant Advocate General, Haryana, accepts notice and waives services on behalf of the

respondents and assures to make the necessary payment in favour of the petitioners.

7 I have heard learned counsel for the parties and perused the paper-book.

8 A perusal of record shows that execution application (Annexure P-2) filed by the petitioners on 20.02.2024 is still pending and the petitioners are waiting to get their amount of compensation on the basis of order dated 16.03.2022 passed by this Court.

9 In **Rahul S. Shah's** case (supra), the Hon'ble Supreme Court held as follows:-

*“That the executing Court must dispose of execution proceedings within 6 months from the date of filing which may be extended only by recording reasons in writing for such delay.”*

10 In view of above, the Court of Additional District Judge, Rohtak (the Executing Court) is requested to decide/dispose off the aforesaid Execution Petition as expeditiously as possible, as per law, preferably within a period of four months from today, as any further delay is going to cause serious prejudice to the rights of petitioners / landowners.

11 Petition stands disposed off accordingly.

12 It is made clear that nothing observed hereinabove shall be construed as an expression of opinion on the merits of the execution proceedings.

13 Pending miscellaneous application(s), if any, shall also stand disposed of.

15.05.2025  
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**(HARKESH MANUJA)**  
**JUDGE**

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