

2025:PHHC:010520



260-Urgent

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

**Civil Revision No. 410 of 2025 (O&M)
Date of Decision: 23.01.2025**

Sham Lal @ Shyam Lal

..... Petitioner

Versus

Jai Singh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Arav Gupta, Advocate
for the petitioner.

HARKESH MANUJA, J.

CM-1246-CII-2025

Application is **allowed**, as prayed for, subject to all just exceptions. Exemption from filing the certified / typed copies of Annexures P-1 to P-4 is granted.

MAIN CASE

The petitioner, by way of present petition filed under Article 227 of the Constitution, seeks issuance of directions to the Court of Additional District Judge, Mohali (**for short "Reference Court"**), for deciding the land acquisition dispute relating to apportionment bearing **LAC No. 521 of 2017**, titled "***Shyam Lal Versus Jai Singh and another***", in a time bound manner.

[2] Learned counsel for the petitioner submits that the age of petitioner is about 62 years and the petition under Section 30 of the Land

Acquisition Act, 1894 (**for short “the Act”**) filed by him is pending consideration before the Reference Court for the last more than seven years on account of numerous adjournments, sought by respondent No. 1 (Jai Singh) for tendering his evidence; thus, prayer is for directions to the Reference Court for deciding the said petition at the earliest.

[3] I have heard learned counsel for the petitioner and gone through the paper-book.

[4] In the present case, the petitioner filed a petition under Sections 30 & 31 of the Act, seeking apportionment of the compensation payable. The petition was filed on 05.07.2017 before the Land Acquisition Collector, GMADA, Mohali, which was referred to the Reference Court on 06.11.2017, and the same is pending for the past more than seven years. A perusal of the zimni orders passed by the Reference Court show that notice of the petition under Section 30 of Act was issued on 09.11.2017; respondent No.1-Jai Singh appeared on 10.12.2018; written statement was filed by him and issues were framed by the Reference Court on 30.04.2019; upon recording the evidence of petitioner on 01.10.2019 & 19.11.2019, his evidence was closed on 19.11.2019 and thereafter the matter was fixed for evidence of the respondents. Moreover, a bare perusal of the zimni orders w.e.f. 19.01.2020 till 18.12.2024 (Annexure P-12 collectively) passed by the Reference Court, would reveal that respondent No. 1 (Jai Singh) sought as many as 20 adjournments for leading evidence, while tendering his evidence on 09.03.2020 (Annexure P-13); even respondent No. 2-Land Acquisition Collector, GMADA, Mohali (Punjab) adduced his evidence only on 22.03.2023 (Annexure P-14).

[5] From the records, it emerges that the petition under Section 30 of the Act filed at the instance of petitioner before the Reference Court is pending for the past more than seven years, thus, in the humble opinion of this Court, without expressing any opinion on merits of the claim of petitioners, the Reference Court is requested to decide the aforesaid petition pending before it within a period of three months, as per law, from the next date of hearing fixed in the same, i.e. 07.02.2025.

[6] **Disposed off**, accordingly.

[7] Keeping in view the nature of proceedings, the present petition is being disposed off without issuing notice to the respondents, lest it may delay the progress of petition filed at the instance of petitioner and may also burden them with unnecessary costs towards litigation expenses.

[8] Pending miscellaneous application(s), if any, shall also stand disposed off.

January 23, 2025

'dk kamra'

**(HARKESH MANUJA)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>