

2025:PHHC:136059



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

**CR-6100-2025 (O&M)  
Decided on:-23.09.2025**

Punjab Urban Planning & Development Authority(PUDA)  
now Bathinda, Development Authority ....Petitioner.

vs.

Rajinderjit Singh and others ....Respondents.

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

Present: Mr. D.V. Sharma, Senior Advocate with  
Mr. Tushar Sharma, Advocate,  
for the petitioner.

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**HARKESH MANUJA J. (Oral)**

1. By way of present petition, challenge has been laid to the orders dated 01.04.2024 and 28.07.2025 passed by the Executing Court, whereby, warrants of attachment of bank account of the petitioner were issued.
2. Briefly stating, the land owned by respondents No.1 & 2-landowners was acquired way-back in the year 2010, wherein award under Section 11 of the Land Acquisition Act, 1894 (hereinafter referred to as "1894 Act") was passed on 22.12.2010. Aggrieved thereof, the respondents-landowners sought reference under Section 18 of the 1894 Act, which came to be decided vide award dated 10.01.2017. Still aggrieved, the respondents along with other landowners approached this Court by filing separate appeals along with some x-objections, which were admitted with conditional stay. Feeling dissatisfied, the petitioners challenged the orders before the

Hon'ble Apex Court by filing SLP, which was disposed of vide its order dated 01.12.2015. Thereafter, the petitioner deposited 25% of the enhanced compensation amount in this Hon'ble Court. Subsequently, the petitioner filed a clarification application before the Hon'ble Apex Court, which was also dismissed vide order dated 18.11.2019.

2.1 Based on the aforesaid conclusion, the respondents filed execution petition, contending that the solatium amount should be included in the enhanced compensation for the purpose of calculating the additional price at the rate of 12%. Reply to the said application was filed on behalf of the petitioner while submitting that the petitioner deposited the compensation amount to the tune of Rs.28,00,81,961/- through cheque dated 07.05.2021 and Rs.88,85,065/- through another cheque dated 07.05.2021. Vide order dated 01.04.2024, the Id. Executing Court dismissed the objections of the petitioner-judgment debtor and directed them to pay the remaining amount of Rs.6,25,000/- along with interest to the respondents-decree holders.

2.3 Consequent to the aforementioned execution proceedings, the Executing Court vide order dated 28.07.2025, issued warrants of attachment of the property of the petitioners/judgment debtors. Hence, the present petition.

3. Impugning the aforesaid orders dated 01.04.2024 and 28.07.2025 passed by the Executing Court, the petitioners again reiterated that the respondents-landowners were not entitled for solatium over the additional amount of 12% under Section 23(1)(A) of the 1894 Act and thus, the attachment of bank account was bad in law.

4. I have heard learned Senior Counsel for the petitioners and have gone through the paper book, I am unable to find substance in the

submissions made on behalf of the petitioners.

5. Vide impugned order dated 01.04.2024, passed by the ld. Executing Court, the respondents-landowners have been held entitled for interest on the aggregated amount of enhanced market value plus solatium and the additional amount and the relevant findings of the ld. Executing Court are extracted under under for reference:-

*“Admittedly, the land measuring 100 sq. yds of decree holders was acquired. The JD has not paid the interest on the solatium as well as additional sum of 12%. The compensation awarded by the Land Acquisition Collector at the rate of Rs.2500/- per square yard had been paid to the decree holder and thereafter, there was an enhancement of Rs.7500/- per square yard. The enhanced market value comes at Rs.7,50,000/-. The solatium has been rightly calculated by the decree holder at Rs.2,25,000/-. The additional sum provided under section 23(1) (a) of the Act is Rs.79150/- for 321 days. There is no dispute between the parties so far as the aforesaid calculation of market value, solatium and additional amount under Section 23(1)(a) are concerned. However, JD has calculated the interest on enhanced market value (amount) only whereas it has to be calculated on the aggregated amount of enhanced market value plus solatium and the additional amount under Section 23(1)(a) of the Act.”*

5.1 Besides it, the order dated 28.07.2025, passed by the ld. Executing Court whereby the warrants of attachment of bank account of the petitioners-judgment debtor have been issued, is merely an offshoot of order dated 01.04.2024 as the petitioner-judgment debtor has failed to discharge its liability.

6. In view of the above, this Court is of the opinion that the ld. Executing Court has passed the reasoned order and there is no scope for

interference in the same as the solatium and additional amount are components of compensation and therefore, statutory interest in terms of Section 34 and 28 of the 1894 Act has to be calculated thereupon. Reference in this regard can be made to a latest decision rendered by the Hon'ble Apex Court in Civil Appeal No.8521-8631 of 2012, titled as "**Bhuliben Lala Ratanji (D) thr. LRs etc. Versus ONGC and another**" decided on 26.04.2023. Resultantly, the present petition is dismissed.

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

23.09.2025

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(HARKESH MANUJA)  
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No