

2025:PHHC:047115



137-3

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

**Civil Revision No. 2058 of 2025 (O&M)
Date of Decision: 05.04.2025**

Land Acquisition Collector, Housing and Urban Development
Department, Punjab-cum-Additional Chief Administrator,
Amritsar Development Authority, Amrtisar and another

..... Petitioners

Versus

Sakattar Singh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ashish Grover, Advocate
for the petitioners.

HARKESH MANUJA, J. (ORAL)

The petitioners, by way of present revision petition filed under Article 227 of the Constitution of India, seeks setting aside of an order dated 23.01.2025 (Annexure P-4) passed by learned Additional District Judge, Gurdaspur (**hereinafter to be called as "Reference Court"**), whereby the evidence of petitioners has been closed by order of the Court.

[2] Briefly stating, respondent No. 1-claimant/landowner filed reference application under Section 64 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013 before the Reference Court alleging inadequate compensation awarded by Land Acquisition Collector vide Award No. 1 of 2016, dated 15.07.2016. Upon notice, the petitioners herein appeared and based on the pleadings, the Reference Court framed the issues on 05.07.2018. The respondent-claimant closed his evidence on 18.05.2023 and thereafter the

case was adjourned for 06.07.2023. The petitioners while leading their evidence produced one Sh. Pankaj Bhatti, Junior Assistant, Amritsar Development Authority, Amritsar, as RW-1, who was duly cross-examined by the respondents-claimants.

[3] It is averred in the petition that in order to conclude their remaining evidence, the petitioners intended to examine one Sh. Mohit, Clerk, Amritsar Development Authority, Amritsar, but, inadvertently on 23.01.2025, again the affidavit of Sh. Pankaj Bhatti was filed and the Reference Court returned the same, while recording the same in its order dated 23.01.2025 and simultaneously fixed the case for arguments after closing the evidence of petitioners by order. Hence, the present revision petition.

[4] Impugning the aforesaid order dated 23.01.2025, learned counsel for the petitioners submits that the petitioners have no intention to delay the proceedings in any manner and they would suffer irreparable loss having denied the opportunity to conclude evidence.

[5] I have heard learned counsel for the petitioners and considered the submissions made on behalf of the petitioners.

[6] Keeping in view the submissions as well as the averments in the petition; and purely in the interest of justice, the petitioners are granted **one effective opportunity** to conclude their entire oral as well as documentary evidence, else the petitioners would not be able to substantiate the cause set up in their defence and would in a way be condemned unheard. Even otherwise, upholding of the impugned order will cause serious prejudice to the rights of petitioners as they will not be able to contest the

case set up by the respondent-claimant.

[7] In view of the above, the impugned order dated 23.01.2025 (Annexure P-4) passed by the Reference Court is modified to the aforesaid extent only.

[8] The above liberty granted to the petitioners is, however, subject to payment of costs of Rs. 25,000/- which shall be deposited by the petitioners with the trial Court, to be disbursed in favour of the respondent(s)-claimant(s).

[9] **Disposed off** accordingly.

[10] Keeping in view the nature of proceedings, the present petition is being disposed off without issuing notice to the respondent-claimant, lest it may delay the progress of reference application instituted at his instance and may also burden him with unnecessary costs towards litigation expenses.

[11] It is made clear that in case, the respondent-claimant finds any mis-statement of fact on the part of petitioners, he would be at liberty to approach this Court by moving an appropriate application in this regard.

April 05, 2025

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**(HARKESH MANUJA)
JUDGE**

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