

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

EFA No.16 of 2015(O&M)

Date of Order:13.05.2025

M/s Punjab Small Industries & Export Corporation Ltd.

.Appellant

Versus

Ajit Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

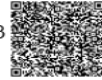
Present: Mrs. Munisha Gandhi, Sr. Advocate with
Ms. Salina Chalana, Advocate
Ms. Manveen Narang, Advocate
for the appellants.

Mr. Naresh Kaushal, Advocate
Mr. Nitish Kaushal, Advocate
for the respondents.

ANIL KSHETARPAL, JUDGE (Oral)

The appellant before this court is the beneficiary of the acquisition of the land. In execution petition filed by the landowner, the Executing Court directed payment of interest on the amount of solatium as well as additional amount as payable under Section 23(1-A) of the Land Acquisition Act, 1894, from 16.06.1994 to 18.09.2001. The appellant claims that the interest on the amount of solatium as well as additional amount is required to be calculated from the date when judgment in **Sunder vs. Union of India, (2001) 7 SCC 211**, was passed by the five Judge Bench of the Hon'ble Supreme Court. Admittedly, the appellant has not filed any objection petition before the Executing Court.

The learned counsel representing the respondents submits that the appellant is not a party to the execution petition.



This court has considered the submissions of the learned counsel representing the parties

The parties to the execution petition differ from those in the suit, as the execution proceedings also include third parties apart from judgment debtor and decree holder. Any person who is aggrieved of the order is entitled to file objection . In this case, ultimate payment has to be made by the appellant being beneficiary of the acquisition. Hence, the objection petition on behalf of the appellant is maintainable.

With these observations the appeal is disposed of by granting liberty to the appellant to file objections which shall be considered and decided by the Executing Court expeditiously.

All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

May 13, 2025

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