

2025:PHHC:003335



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

**CR-25-2025 (O&M)
Decided on:-09.01.2025**

Ram Diya (spelled as Ram Dia in execution application)
and another

....Petitioners..

vs.

State of Punjab and others

...Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Amitoj Singh, Advocate for
 Mr. Aminder Singh, Advocate,
 for the petitioners.

HARKESH MANUJA J. (Oral)

1. Prayer in the present civil revision petition is for issuance of direction to the learned Executing Court to decide the execution application bearing EXE/1069/2019 dated 06.11.2019, titled as ***“Mehtar Singh and others vs. State of Punjab”*** within a time bound manner period.

2. Admittedly, land measuring 592 acres, 7 kanals and 16 marla, situated in the revenue estates of 10 villages, namely, Shahpurnau Abad Theri, Andana, Mandvi, Chandu, Makror Sahib, Nawangaun, Jaswantpur @ Hotipur, Baupur, Banarsi and Khanori Kalan, was acquired for the public purpose namely, for embankment and widening of Ghaggar river, followed by an award dated 12.04.2008, whereby, the Land Acquisition Collector awarded compensation @ of Rs.6,00,000/- per acre including solatium qua the land of 09 villages at flat rate and Rs.10,00,000/- per acre qua the land of village Khanouri.

3. Feeling dissatisfied, the land owners filed petitions under Section 18 of the Land Acquisition Act, 1894 before the Reference Court, which were dismissed vide common order dated 15.12.2010.

Dissatisfied with the aforesaid order dated 15.12.2010, the land owners including the petitioners approached this Court by way of number of appeals, which were partly allowed on 27.01.2016 while enhancing the compensation from Rs. 6 lakhs to Rs.15,95,600/- per acre qua 09 villages and as regards village Khanouri, compensation was enhanced from Rs.10,00,000/- to Rs.21,00,000/- per acre. Thereafter, the petitioners filed execution application, which was disposed of vide order dated 27.02.2017, vide which, the decree holders, including the petitioners were awarded compensation excluding solatium and interest. Aggrieved against the aforesaid order, the petitioners and other landowners challenged the order by filing CR No.4676-2017 before this Court, which was disposed of vide order dated 21.07.2017 with direction to the learned ADJ, Sangrur to re-evaluate the objections raised by the judgment debtor-State. Accordingly, vide order dated 20.12.2017, learned ADJ, Sangrur, reassessed the compensation at the rate of Rs.39,50,082/- per acre, subject to the deduction of amounts already paid to the decree holders on 27.02.2017, but till date the respondents have not released the full compensation. Thereafter, the petitioners/land owners filed execution application No.EXE/1069/2019 before the Reference Court, Sangrur.

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

5. I have heard the learned counsel for the petitioners.
6. A perusal of record shows that execution petition (Annexure P-3) filed by the petitioners on 06.11.2019, is still pending and the petitioners are waiting to get their full amount of compensation on the basis of decision dated 27.01.2016 passed by this Court as well as in view of judgment dated 27.12.2017 passed by the learned Additional District Judge, Sangrur.
7. In ***Rahul S. Shah Vs. Jinendra Kumar Gandhi and others (2021) 6 SCC 418***, the Hon'ble Supreme Court held as follow:-
- “That the executing Court must dispose of execution proceeding within 6 months from the date of filing which may be extended only by recording reasons in writing for such delay.”*
8. In view of the aforementioned legal position, the Executing Court is requested to dispose of the execution No.EXE/1069/2019 as expeditiously as possible, preferably within a period of next 06 months from today, as any further delay may cause serious prejudice to the rights of the petitioners-land owner.
9. It is made clear that nothing stated herein-above shall be construed as an expression of opinion on the merits of the execution proceedings.
10. The present petition is disposed of in aforesaid terms without issuance of any notice to the respondents as it may cause further delay in the proceedings.
11. Pending application, if any, stands disposed of.

09.01.2025

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/ No