



128

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

CR-5270-2025 (O&M)
Date of decision: 07.08.2025

MAHINDER SAIN ALIAS MOHINDER SAIN

...Petitioner

Versus

RAJ KUMAR AND OTHERS

...Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Aditya Kochar, Advocate with
Ms. Shikha Kaushik, Advocate
for the petitioner.

SUDEEPTI SHARMA, J. (ORAL)

CM-15535-CII-2025

Allowed as prayed for subject to all just exceptions.

CR-5270-2025

1. Present petition is preferred for setting aside the impugned order dated 02.05.2025 (Annexure P-1 and Annexure P-1/A) passed by Ld. Addl. District Judge, Karnal in Exe/68/2019, whereby the objections filed by the petitioner herein have been dismissed and respondent Nos.2 to 4 have been directed to submit form-D within 15 days from the order passed, in order to release the compensation to respondent No.1.

2. Learned counsel for the petitioner contends that Ld. Addl. District Judge, Karnal has wrongly dismissed the objections filed by the petitioner.



3. I have heard learned counsel for the petitioner and perused the case file with his able assistance.

4. Before proceeding further, it would be apposite to reproduce the relevant portion of order dated 02.05.2025, which is as under:-

“6. The objector is staking his claim on the enhanced compensation amount on the basis of General Power of Attorney (GPA) dated 18.02.2003 but it appears that the GPA was cancelled by the decree-holder (Raj Kumar) on 10.10.2019. The moment GPA has been cancelled, the Power of Attorney Holder has no right to claim any kind of compensation. Moreso, the GPA acts on behalf of principal and has no independent right in the property. The GPA only acts as a agent of the executant of the GPA. That apart, objector Mahinder Sain instituted a Civil Suit to claim the similar relief as set up by him in the instant objection and his civil suit has been dismissed by the Civil Court. As such, the question of title has also been decided by the civil court in favour of decree-holder (Raj Kumar) for receiving the enhanced amount of compensation. A decree-holder has also right to claim compensation on the strength of sale deeds executed by objector and his wife in his favour. The Hon’ble Supreme Court in case Raj Kamal Prakashan Pvt. Limited Vs. Ramadhar 2007(1) RCR (Civil) 503 has held that “where the respondent is having no personal interest in acquired land and he was acting on behalf of appellant company. Although, he spent some amount for purchase of lease hold right, he is not entitled to get total compensation of award for acquired land. Entire compensation is payable to the appellant Company.”

7. In the instant case, the decree-holder Raj Kumar is the sole rightful owner to claim enhanced compensation and objector has no locus standi to raise any kind of objections and put any kind of claim on the enhanced compensation amount of the acquired land, his objection petition is totally meritless and is dismissed accordingly.”

5. A perusal of file shows that the learned Addl. District Judge, Karnal has rightly observed that the petitioner is seeking claim of enhanced



compensation amount on the basis of General Power of Attorney dated 18.02.2003 which was cancelled by the decree holder (Raj Kumar) on dated 10.10.2019. Since the General Power of Attorney was cancelled, therefore the petitioner has no right to claim any kind of compensation. Further the General Power of Attorney acts on behalf of principal and has no independent right in the property. Even the question of title of disputed property has been decided by the learned Civil Court in favour of decree holder (Raj Kumar) for receiving the enhanced amount of compensation.

6. Furthermore, learned Addl. District Judge, Karnal has categorically decided the objections filed by the petitioner. Therefore, there is no infirmity in the impugned order dated 02.05.2025 and the same does not warrant any interference by this Court.

7. In view of the above, the present petition is dismissed.

07.08.2025

Ithlesh

**(SUDEEPTI SHARMA)
JUDGE**

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