



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

**CR-2334-2025**

**Date of Decision: April 21, 2025**

**KARTAR SINGH** .....Petitioner  
Versus  
**UNION OF INDIA** .....Respondent

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

Present: Mr. Rajan Bansal, Advocate for the petitioner.

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**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/122/2004 dated 01.10.2004 after adjudicating upon an application dated 18.01.2017 moved for restoration of the restoration application i.e. CM-40-2017 titled as "***Kartar Singh vs. Union of India***" within a time bound manner period.
2. Admittedly, land measuring 6 kanals and 17 marlas of the petitioner was acquired by the Land Acquisition Collector, Bathinda vide award dated 16.04.1993 for the public purpose namely, establishment of Oil Depot By Indian Oil Corporation.
3. Feeling dissatisfied, the petitioner filed petition under Section 18 of the Land Acquisition Act, 1894 before the Reference Court which came to be allowed on 12.04.2002 and the amount of compensation was enhanced from Rs.2,00,000/- per acre to Rs.2,30,000/- per acre. Thereafter, the petitioner filed execution application i.e. EXE/122/2004 dated 01.10.2004, wherein Judgment debtor prayed for two months' time for making the remaining payment and the same was adjourned sine die with liberty to decree holder to revive the same in case of default.

Respondent-judgment debtor having failed to make the payment, the petitioner filed an application 18.01.2017 seeking restoration of the said execution application and the same is now pending for 22.05.2025.

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

5. Notice of motion.

6. Upon advance notice, Mr. Akash Vashisth, Advocate accepts notice on behalf of respondent and raises no objection to the innocuous prayer made on behalf of the petitioner.

7. A perusal of record shows that execution petition (Annexure P-1) filed by the petitioner on 01.10.2004 is still pending and the petitioner is waiting to get the full amount of compensation on the basis of decision dated 12.04.2002 passed by learned Addl. District Judge, Bathinda.

8. 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.”*

9. In view of the aforementioned legal position, the Executing Court is requested to dispose of the execution No.EXE/122/2004 as expeditiously as possible, preferably within a period of next 02 months from today, as any further delay may cause serious prejudice to the rights of the petitioner-land owner.

10. It is made clear that nothing stated herein-above shall be construed as an expression of opinion on the merits of the execution proceedings.

11. Pending application, if any, stands disposed of.

**21.04.2025**

Tejwinder

**(HARKESH MANUJA)  
JUDGE**

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|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |