

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 5007 of 2014 (O&M)
Date of decision: 16.07.2015

State of Haryana

... Petitioner

versus

Gurbax Singh and another

.... Respondents

2. CR No. 5058 of 2014 (O&M)

State of Haryana

... Petitioner

versus

Rameshwar and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Gourav Goel, Assistant Advocate General, Haryana.
Mr. Vivek Goyal, Advocate for the respondents.

K.Kannan, J.

The revision petitions are at the instance of the State challenging the orders passed by the Executing Court altering the awards made under land acquisition proceedings on reference under Section 18 of the Land Acquisition Act.

The land owners who had allowed the awards to become final were attempting to take advantage of enhancement of compensation awarded for other land owners who had challenged the adequacy of the awards in higher forums, viz; before this Court and Hon'ble the Supreme Court.

The Executing Court has no power to go behind the decree or alter the terms of the decree unless the awards had been subjects of modification in appeals filed by the respective land owners. There was no

scope for them to cite the enhancement of compensation secured by the other land owners for altering the awards.

The orders passed are erroneous and are set aside. The revision petitions are allowed with these observations.

(K.KANNAN)
JUDGE

16.07.2015

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