

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Date of decision: 14.12.2015.  
CR No.659 of 2010 (O&M)

Union of India and another ..... Petitioners

Versus

Gurmail Singh and another ..... Respondents

2<sup>nd</sup>  
CR No.660 of 2010 (O&M)

Union of India and another ..... Petitioners

Versus

Harmeet Kaur .....Respondent

3<sup>rd</sup>  
CR No.661 of 2010 (O&M)

Union of India and another ..... Petitioners

Versus

Harpal Singh and others .....Respondents

4<sup>th</sup>  
CR No.662 of 2010 (O&M)

Union of India and another ..... Petitioners

Versus

Ajeet Singh .....Respondent

5<sup>th</sup>  
CR No.663 of 2010 (O&M)

Union of India and another ..... Petitioners

Versus

Gurdial Kaur .....Respondent

6<sup>th</sup>  
CR No.664 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
Balwant Singh and others  
.....Respondents

7<sup>th</sup>  
CR No.665 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
Yadvinder Singh and others  
.....Respondents

8<sup>th</sup>  
CR No.666 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
Sukh Milap Singh  
.....Respondent

9<sup>th</sup>  
CR No.667 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
Jagir Kaur  
.....Respondent

10<sup>th</sup>  
CR No.668 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
Pritpal Singh  
.....Respondent

11<sup>th</sup>  
CR No.669 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
Gurcharn Singh and others  
.....Respondents

12<sup>th</sup>  
CR No.670 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
Sukhbir Singh and another  
.....Respondents

13<sup>th</sup>  
CR No.671 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
Gurmeet Singh and another  
.....Respondents

14<sup>th</sup>  
CR No.672 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
Ranghi Singh  
.....Respondent

15<sup>th</sup>  
  
CR No.673 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
Avtar Singh and others  
.....Respondents

16<sup>th</sup>  
CR No.674 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
  
Sant Kaur  
.....Respondent

17<sup>th</sup>  
CR No.675 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
  
Surjit Singh  
.....Respondent

18<sup>th</sup>  
CR No.676 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
  
Sant Kaur and others  
.....Respondents

19<sup>th</sup>  
CR No.917 of 2010

Union of India and another  
..... Petitioners  
  
Versus  
  
Gurwant Kaur  
.....Respondent

20<sup>th</sup>  
CR No.1081 of 2010 (O&M)

Union of India and another  
..... Petitioners  
  
Versus  
  
Garib Singh  
.....Respondent

**CORAM : HON'BLE MR.JUSTICE ARUN PALLI**

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not? Yes
3. Whether the judgment should be reported in the digest?

Present : Mr. Vivek Singla, Advocate for the petitioners.

Ms. Monika Jalota, Advocate for the respondents.

**ARUN PALLI, J. (Oral)**

This order shall dispose of Civil Revisions Nos. 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 917 and 1081 of 2010, as the facts involved in all these petitions are similar and the question for determination is common.

Vide order being assailed dated 4.9.2009, rendered by the executing Court, the objections preferred by the petitioner had since been dismissed and a direction was issued to deposit the amount of interest on solatium as also on the increased amount, under Section 23(1-A) of the Land Acquisition Act, the conclusion arrived at reads as thus:-

**“The JDs are directed to deposit the amount of interest on solatium as well as increase amount under Section 23(1-A) of the Act, as has been ordered for other amount of compensation, which has already been deposited. It is here made clear that the above order of mine pertains only to 50% of the increase of compensation, which the Union of India has been ordered to deposit in the executing Court by the Hon'ble Apex Court”.**

On 14.07.2011 this Court had passed the following order:-

**“Learned counsel for the petitioner states that on the similar issue SLP bearing Nos. 11250-11262 of 2010**

**titled as Union of India Vs. Vijay Singh and others is pending adjudication before Hon'ble the Supreme Court of India.**

**Adjourned sine die to await the decision of Hon'ble Supreme Court of India.**

**A photocopy of this order be placed on the file of connected matter of this case”.**

Learned counsel for the parties are *ad idem* a bunch of SLPs bearing Nos. 11250 to 11262 of 2010 were re-numbered as 24906-24918 of 2010 and were ordered to be heard with bunch of Special Leave Petition (Civil) No.4144-4154 of 2010 and vide order dated 11.2.2015, the Hon'ble Supreme Court dismissed the SLP(C) No.4144-4154 of 2010 and other connected matters. But somehow the bunch consisting of Special Leave Petition (Civil) No.24906-24918 of 2010 was not listed and, is thus, pending. However, learned counsel for the parties submit that the matter in hand can be disposed of in terms of the order dated 11.2.2015, passed by the Hon'ble Supreme Court, which reads as thus:-

**“In the peculiar facts and circumstances of the matter(s), we do not find any infirmity in the impugned judgment(s) and order(s) passed by the High Court. Accordingly, the special leave petitions are dismissed.**

**However, the question of law sought to be raised in these petitions is kept open to be agitated in an appropriate cause(s).**

**It was submitted that the executing Court has to calculate interest on the basis of the principles laid down by this Court in the case of Sunder Vs. Union of India reported**

in (2001) 7 SCC 211, as explained in the case of Gurpreet Singh Vs. Union of India reported in (2006) 8 SCC 457 and the same is to be calculated from the date of judgment in Sunder's case (supra) as explained in Gurpreet's case (supra) i.e., w.e.f. 19.09.2001. The executing Court to consider aforesaid aspect in accordance with law.

**SLP(s) Nos. 10912, 10914, 10916, 10922, 13408 of 2013**

We do not find any infirmity in the impugned judgment(s) and order(s) passed by the High Court. Accordingly, the special leave petitions are dismissed”.

In the wake of the position as set out above, the order dated 4.9.2009, which is common in all these petitions is set aside and the matter is remitted to the executing Court to pass appropriate orders afresh, strictly in accordance with law i.e. in terms of the decision rendered by the Hon'ble Supreme Court in Sunder Vs. Union of India, 2001 (7) SCC 211 and Gurpreet Singh Vs. Union of India reported in 2006 (8) SCC 457. Parties through their counsel are directed to appear before the executing Court on 22.1.2016.

Revision petitions are disposed of in the above terms.

**December 14, 2015**

Manoj Bhutani

**(ARUN PALLI)  
JUDGE**