

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

**CR No. 4500 of 2011**  
**Date of decision : March 17, 2016**

**Paramjit Kaur and another**

**..... Petitioners**

**Versus**

**Union of India**

**..... Respondent**

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Mr.Arun Bansal , Advocate  
for the petitioners.

Ms. Seema, Advocate for  
Ms. Ranjana Shahi, Advocate  
for the respondent.

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

**Amit Rawal, J (oral).**

The petitioner is aggrieved of the dismissal of the application being barred by law of limitation as well as recalling of the order. Before referring to the impugned order, it would be apt to give brief preface of the matter.

The land of the petitioner was acquired by Union of India for establishment of Military Cantonment at Bathinda. The petitioner moved an application under Section 28-A of the Land Acquisition Act, 1894 seeking re-determination of the market value of the land in view of award dated 20.11.1987 passed by the reference court in a similar case. The arbitrator enhanced the amount of

compensation vide order dated 20.4.1992. The execution application was filed on 21.3.2009 beyond the period of limitation and the same has been dismissed vide order dated 18.2.2010, which was sought to be recalled by moving separate application. The same was also dismissed vide order dated 6.6.2011. Since the limitation to seek execution of the award is 12 years, the provisions of Section 5 of the Limitation Act, 1963 does not apply.

Even otherwise, in case the land has been acquired under the provisions of Requisition and Acquisition of immovable Property Act, 1952 the provisions of Section 28-A of the Land Acquisition Act, 1894 as per judgment of Hon'ble Supreme Court in **Union of India Vs. Munsha and other 1995 (Sup4) SCC 660** are not applicable.

I do not find any illegality and perversity in the impugned order and the same cannot be said to have been passed without jurisdiction.

The revision petition is devoid of merits. Accordingly the same is dismissed.

**(AMIT RAWAL)**  
**JUDGE**

**March 17 , 2016**  
**archana**