

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR 8631-2015 (O&M)
Date of decision: 08.02.2018

Punjab State Power Corporation Limited

.....Petitioner

versus

Kishan Singh and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.R.L. Sharma, Advocate for the petitioner
Mr.S.S.Rathore, Advocate for the respondents

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh, J. (Oral)

Impugned in the present revision is the order dated 22.7.2015 (Annexure P6) passed by learned Additional District Judge, Rupnagar, vide which execution application was allowed.

I have heard learned counsel for both the parties and have also carefully gone through the file.

It comes out that in a land reference filed by some of the co-sharers under Section 18 of The Land Acquisition Act, 1894 for acquisition of land, compensation was enhanced.

The present respondents are the co-sharers. They also sought compensation, claiming the same enhanced compensation. The same was objected to by the present petitioner on the ground that no reference was filed by the present respondents before the Executing Court. The lower Court relied upon the authority of the Apex Court in Jalandhar

Improvement Trust vs. State of Punjab and others, 2003 (1) SCC 526 and Housing Board Haryana vs. Bhag Singh, 2008(1) LH 18 to hold that co-sharer is entitled to same benefit as awarded to another co-sharer. Law on the point is well settled. Once, the land is acquired, the same compensation is to be awarded to all the co-sharers irrespective of the fact that whether some of the co-sharers made a reference to the Court or not. There is no illegality or infirmity in the impugned order.

Resultantly, the present revision petition stands dismissed.

08.02.2018
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No