

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 161 of 2019
DECIDED ON: JANUARY 14, 2019

JARNAIL SINGH AND OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

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

AVNEESH JHINGAN J. (ORAL)

The present civil revision petition has been filed under Article 227 of the Constitution of India seeking direction to learned Additional District Judge, Sangrur to decide the application dated 12.02.2018 filed by the petitioners whereby, correction of order dated 20.12.2017 has been sought.

The facts in brief are that the land of the petitioners was acquired vide notification dated 20.11.2006 issued under Section 4 of the Land Acquisition Act, 1894 (for brevity 'the Act'). Thereafter, notification under Section 6 of the Act was issued on 29.04.2007. A common award was passed by the Land Acquisition Collector, Moonak, District Sangrur. The petitioners approached the reference court and the same was dismissed vide common award dated 15.12.2010. The matter was taken up in the High Court and the High

Court vide order dated 27.01.2016 enhanced the compensation to ₹15,95,600/- per acre for the acquired land of nine villages. Thereafter, an application was filed for the release of the compensation amount. As the compensation was not being released, petitioners filed a CWP No. 17515 of 2016, which was disposed of by this Court vide order dated 29.08.2016 with liberty to the petitioners to file execution before learned District Judge, who shall decide the same at the earliest and preferably within four months from the date of receipt of certified copy of the order. In pursuance to the afore-said order petitioners filed execution proceedings, which was disposed of vide order dated 27.02.2017 but no solatium and interest on the enhanced amount was awarded. The petitioners approached this Court by filing CR No. 4676 of 2017. The said civil revision petition was disposed of vide order dated 21.07.2017 and the impugned order was set aside and matter was remanded back to District Judge, Sangrur with a direction that the remand proceedings shall be decided within three months from the date of receipt of certified copy of this order.

In pursuance to the order passed by this Court the order in remand was passed on 20.12.2017 and it was held that the petitioners are entitled to total amount of ₹39,50,082/- as compensation per acre. As per the petitioners there was a clerical mistake and an application was moved seeking correction of order dated 20.12.2017.

Learned counsel for the petitioners states that an application seeking correction of order dated 20.12.2017 is pending since February 2018 and has not been decided till date. He further submits that the said application is being pressed but the same is not being decided.

Learned counsel for the petitioners failed to produce anything on

record to show that the application has been pressed before the Executing Court but is not being decided. There is no doubt that if an application is pending and is being pressed by the petitioners, the Court's will decide the same as expeditiously as possible.

The present civil revision petition is disposed of.

(AVNEESH JHINGAN)
JUDGE

JANUARY 14, 2019
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Whether speaking/reasoned:
Whether reportable :

Yes / No
Yes / No