

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR No. 3336 of 2019 (O&M)

Decided on: 22.01.2020

State of Punjab through District Revenue Officer petitioner

versus

Chattan Singh and Ors. Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Karanbir Singh, AAG, Punjab
 for the petitioner.

 Mr. Gurjinder Singh Benipal, District Revenue Officer,
 Mohali.

Rajbir Sehrawat, J.(Oral)

 This is a revision petition filed by the petitioner seeking for setting-aside the impugned order dated 26.09.2018 passed by the learned Addl. District Judge, Mohali.

 Learned counsel for the petitioner; on instructions from Mr. Gurjinder Singh Benipal, District Revenue Officer, has submitted that the land, which was subject matter of the acquisition was under the control of Gram Panchayat, therefore, the compensation for the acquisition of the said land, if any, is required to be paid to the Gram Panchayat and not to the proprietors/khewatdars of the said land. Hence, the order passed by the Courts below in execution, directing the payment of the compensation to the proprietors/Khewatdars is illegal.

 However, this Court finds that at the time of passing of the award

 under execution, this question was specifically raised and it has specifically

been answered in the award to say that the land in question vested in proprietary body of the village, whereas, Gram Panchayat was entitled only to manage the same and to utilize the income arising therefrom as per the needs and for the benefits of the villagers. However, since no ownership right have ever been created in favour of the Gram Panchayat in respect of the land under question, therefore, Gram Panchayat was not entitled to get compensation of the acquired land. Instead, it is the Khewatdars/proprietors of the village who are entitled to the said compensation. This award has not even been stayed or set aside by any superior Court in any proceeding as such. The factum that this award has become final is not even disputed by the counsel for the State.

Hence, this Court does not find any illegality or perversity in the order passed by the Court below; in execution. The amounts of compensation have rightly been ordered to be paid to the kehwatdars/proprietors of the said land, in terms of the award; which has already become final.

In view of the above, no ground to interference is made out.

Resultantly, the present petition is dismissed.

22nd January, 2020

Manju

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No