

$$207+304+322$$

Date of decision: 30.09.2022

Versus

2. CR-1695-2021

Versus

3. CR-3256-2021

Versus

4. CR-2814-2022

Versus

5. CR-2813-2022

Versus

6. CR-1763-2022

Versus

YOGESH KUMAR AND ORS. ..Respondents

7. CR-1761-2022

HARYANA SHEHRI VIKAS PRADHIKARAN

..Petitioner

Versus

SUBHASH CHAND AND ORS.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Deepak Sabherwal, Advocate
for the petitioner (in CR-1695-2021 & CR-3256-2021).

Mr. Ankur Mittal, Advocate
for the petitioner (in CR-2814-2022, CR-2813-2022,
CR-1763-2022 & CR-1761-2022).

Mr. Tarun Dhingra, Advocate
for respondent No.2 (in CR-266-2022).

Mr. Pankaj Bali, Advocate
for respondent No.1 (in CR-1695-2021).

Mr. J.P. Sharma, Advocate
for respondent No.1 (in CR-1763-2022).

Mr. Amit Choudhary, Advocate
for respondent No.1 (in CR-1761-2022)

ANIL KSHETARPAL, J(Oral)

Despite service of notice of the petition, the respondent in CR-3256-2021, CR-2814-2022, CR-2813-2022, have not entered appearance.

By this order, seven revision petitions shall stand disposed of.

Admittedly, the respondents did not file any appeal against the award passed by the Reference Court, whereas, various other landowners filed the appeals including RFA-4583-2006, which was decided on 10.12.2010. The High Court had increased the market value of the acquired land. The respondents have filed the execution petition on the basis of the judgment passed by the High Court although, they were not the appellants

before the High Court. In **Civil Revision No. 814 of 2020, titled as**

“Rajender Singh and another Vs. State of Haryana and others”, decided on 15.09.2022, it has been held that in absence of an enforceable judgment, decree, award or order, the landowners cannot file the execution petition claiming parity.

Hence, the revision petitions are allowed.

Consequently, the order passed by the Executing Court are set aside. The execution petition is not maintainable. Hence, the order passed by the Executing Court is held to be without jurisdiction.

All the pending miscellaneous applications, if any, are also disposed of.

September 30th, 2022
Ay

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No