

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-4092 of 2013 (O&M)
Date of decision: 06.09.2022

Union of India

..Petitioner

Versus

Jaspreet Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Arun Gosain, Senior Govt. Counsel
for the petitioner-UOI.

ANIL KSHETARPAL, J(Oral)

The Union of India assails the correctness of the order passed by the Executing Court with respect to the manner of adjustment of staggered payment made while discharging its liability with respect to the payment of compensation for compulsory land acquisition. The manner of adjustment has been interpreted by a five Judge Bench of the Supreme Court in **Gurpreet Singh vs. Union of India, 2008 (2) RCR (Civil) 207**. From a bare look at the impugned order passed by the Additional District Judge Bathinda, it is evident that the amount has been calculated as per the aforesaid interpretation.

Hence no ground to interfere is made out.

At this stage, the learned counsel representing the Union of India contends that the interest on the amount of solatium is payable only from the date of judgment as held by another five Judge Bench passed in **Sunder vs. Union of India, 2001 (4) RCR(Civil) 727**.

Since, the aforesaid issue has never been taken up before the Executing Court, therefore, this court while exercising the revisional jurisdiction, is not inclined to entertain such issue which is raised before the

High Court it for the first time.

The petitioner, if so advised, may file objections before the
Executing Court.

Disposed of accordingly.

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

September 06, 2022
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(ANIL KSHETARPAL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>