

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

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**1. CR-7975-2018(O&M)
Date of Order:25.03.2022**

UNION OF INDIA

..Petitioner

Versus

RATTAN SINGH AND OTHERS

..Respondents

2. CR-7976-2018(O&M)

UNION OF INDIA

..Petitioner

Versus

**BHUPINDER SINGH (SINCE DECEASED) THROUGH HIS
LRS AND OTHERS**

..Respondents

3. CR-8051-2018(O&M)

UNION OF INDIA

..Petitioner

Versus

MUKHTIAR KAUR AND ORS.

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Satya Pal Jain, Addl. Solicitor General of India
with Mr. Sunil Kumar Sharma, Sr. Panel Counsel
for Union of India.**

**Mr. Rakesh Gupta, Advocate
for respondents.**

ANIL KSHETARPAL, J(Oral)

The Union of India has filed these three Revision Petitions while assailing the correctness of order passed by the Executing Court on 15.09.2018. At the stage of execution, the Union of India wants to take an objection that the landowners had removed the structures as well as the trees from the acquired land. It is evident that the Land Acquisition Collector vide

a consolidated award dated 27.03.1991, acquired the land as well the structures and trees. He took over the possession of the land after its compulsory acquisition. On the application of the landowners for redetermination of the compensation, the matter was referred to the Court. Ultimately, a Letter Patent Appeal came to be decided by a Division Bench of this Court on 25.02.2005. The Union of India during pendency of the case, never took this objection.

Once, the amount of compensation was finalized by the Court which has the force of a decree, the Union of India objected the payment for the first time in execution petition.

It is well settled that the Executing Court cannot go beyond the decree.

Furthermore, on announcement of the award under Section 11 of the Land Acquisition Act, 1894, all the rights, title or interest in the property vests with the Government/acquiring authority. The Union of India never objected before the Land Acquisition Collector nor did they raise any objection before the Courts when the matter with respect to assessment of the market value was agitated.

In view thereof, all the Revision Petitions are dismissed.

It has been noticed that the landowners, who stand deprived of their precious land, have not been paid the entire compensation they were held entitled to. The acquisition was completed in the year 1991, whereas, the amount of compensation was finally determined by the Division Bench of this Court in the year 2005. It has been 17 years. Hence, the Union of India is directed to deposit the amount with the Executing Court within a

period of three months, from today, positively.

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

March 25th, 2022

(ANIL KSHETARPAL)
JUDGE

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Whether speaking/reasoned

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Yes/No

Whether reportable

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Yes/No