

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

116

**CR-1320 of 2021 (O&M)
Date of decision: 23.12.2022**

Harpreet Singh

..Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Deepak Goyal, Advocate
for the petitioner.

Mr. Harsh Vardhan Shehrawat, AAG, Haryana and
Mr. Jaspal Singh Pannu, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

1. The land of the petitioner was acquired by the State of Haryana in exercise of the powers under the Land Acquisition Act, 1894 (hereinafter referred to as 'the 1894 Act').

2. On an application filed under Section 18 of the 1894 Act, the Reference Court enhanced the amount. The execution petition filed by the petitioner to recover the amount, as ordered by the Reference Court, has been disposed of on 01.08.2015 with the following order:-

“Learned counsel for the petitioners has made statement that the amount of compensation in the present case has already been deposited and released to the decree-holders. Although, some amount of interest is still outstanding, but I withdraw the present execution petition as partly satisfied while reserving my right to file fresh execution petition if the need arises.

Heard. In view of the above statement, the present execution petition stands dismissed as withdrawn being partly satisfied. File be consigned to record room.”

3. The learned counsel representing the petitioner submits that the fresh execution petition has become time barred.

4. Once the Executing Court was of the opinion that some amount of interest is still outstanding, it was not appropriate for the Court to dispose of the execution petition while granting liberty to file the fresh one.

5. Keeping in view the aforesaid facts, the revision petition is disposed of while setting aside the order dated 02.05.2015 as well as 01.08.2015.

6. The execution petition is restored to its original number. The Executing Court is requested to proceed with the matter in accordance with law.

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

December 23, 2022
nt

(ANIL KSHETARPAL)
JUDGE

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