

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

**Civil Revision No. 92 of 2021 (O&M)
Date of decision : July 10th, 2023**

Gurdev Singh

...Petitioner

Versus

Land Acquisition Collector, Pathankot and others

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Prateek Gupta, Advocate and
Mr. Prashant Puri, Advocate, for the petitioner.

Ms. Lavanya Paul, Deputy Advocate General, Punjab
for respondent No. 1 and assisted by
Mr. Lachhman Singh, District Revenue Officer, Pathankot.

Mr. Dharam Vir Sharma, Senior Advocate, assisted by
Ms. Sunder Kumari, Advocate, for respondent Nos. 2 & 3.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Article 227 of the Constitution against the impugned order dated 14.12.2020, vide which, an application of the petitioner for release of compensation (1/2 share of the acquired land) was dismissed by Id. Addl. District Judge-cum-Presiding Officer, Land Acquisition, Resettlement and Rehabilitation Authority, Pathankot (for short “the Authority”).

(2) Controversy is quite simple; but complicated by the Government apparatus; hence, for convenience, the same can be noticed in two Parts i.e.

(i) Petitioner viz-a-viz State and;

(ii) between petitioner and respondents No.2 & 3 (Tegbir Singh Randhawa through LRs & Bikram Singh Randhawa respectively).

PART-I

(3) It transpires that in the month of September 1998 & February 1999, total 21 sale-deeds were executed in favour of petitioner as well as one Varinder Dhir (since deceased) in respect of land ad-measuring 289 kanal, 11.1/2 i.e. 36 acre being 1/3rd share of total land measuring 289 Kanal, 11.1/2 Marla, comprised in Khasra No. 12/16, 17, 18, 19, 21, 22, 6/3, 14/2, 15, 23, 24, 25/1, 13/11/1, 15/1/1, 2/1, 3/1, 8/2, 9, 2/2, 10, 11, 12, 13, 14/1, 19/2, 20, 26/13/2, 18, 19, 22, 23, 24/2, 6, 15, 16, 14, 17, 24/1, 27//9/2, 10, 11, 20/2, 21/1, 31//2, 9/1, 6/2, 7, 8, 13, 14, 3, 1/1, 45//25/2, 46//8/3, 9, 10/1, 11, 12/1, 13/1, 19/1, 20, 21, 22/1, 24/1, 25/1, 47//18/1, 19/1, 20/1, 49//1/1, 1/3, 4/4/1, 4/2, 7/1, 8/1, 9/1, 9/2/1, 13/1, 2/1, 2/3, 3/1, 3/2/1, 50//5/1, 6/1/1, 25/2, Khewat No. 329, Khatoni No. 459/1, Khewat No. 47, Khatoni No. 67, Khewat No. 28, Khatoni No. 30, Khewat No. 111, Khatoni No. 152, Khewat No. 49, Khatoni No. 69, Khewat No. 35, Khatoni No. 54, Khewat No. 48, Khatoni No. 68, Khewat No. 38, Khatoni No. 57, Khewat No. 125, Khatoni No. 168, Khewat No. 189, Khatoni No. 279, Khewat No. 63, Khatoni No. 84, Khewat No. 99, Khatoni No. 127, Khewat No. 330, Khatoni No. 460, Khewat No. 583, Khatoni No. 860, Khewat No. 62, Khatoni No. 83, as per jamabandi for the year 2009-10, situated at Village Malikpur, Hadbast No. 240, Tehsil & District Pathankot. As the Sub-Registrar, Pathankot refused to register the above sale-deeds and that resulted into filing of CWP No. 18367 of

1998 at the instance of petitioner & Varinder Dhir. On 02.08.1999, this Court directed the Sub-Registrar to pass an order in accordance with law. Since no action was taken by the Sub-Registrar, therefore, that led to filing of Contempt Petition (CM No. 4437 of 2000 in CWP No. 18367 of 1998).

(4) In the *interregnum*, State of Punjab filed Civil Suit No. 211 of 1999, for declaration to the effect that they have become owner by way of adverse possession of the land in question and as a result thereof, the contempt petition was deferred for hearing, *vide* order dated 25.08.2000 in the following manner:-

*“The matter with regard to title of the land is pending before the civil Court. Adjourned sine die to await the decision of the trial Court.
The trial Court is directed to decide the civil suit within one year.”*

(5) Dissatisfied with the above order, petitioner preferred an SLP (Civil) No. 20928-20929 of 2000, wherein the Hon’ble Supreme Court, initially, vide an interim order dated 07.09.2001, directed the Sub Registrar, Pathankot to register all 21 sale-deeds. However, later on, vide order dated 31.10.2001, the SLP was disposed off finally, with the observations that registration of the sale deeds would be subject to the final outcome of Civil Suit No. 211 of 1999 (*ibid*).

(6) It is noteworthy that later on, civil suit was dismissed by learned trial Court and an appeal thereagainst was also dismissed. Thereafter, State of Punjab filed RSA No. 2948 of 2011, but remained unsuccessful as their second appeal was dismissed on 26.08.2014.

Ultimately, State of Punjab preferred SLP No. 29832 of 2014, but the

same was withdrawn on 01.12.2014, while stating “*that steps shall be taken by the petitioner-State for initiating acquisition proceedings and the said property shall be acquired according to the law.*”

(7) Thereafter, on 27.03.2017, a preliminary notification under Section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short “Act of 2013”) was issued by the Government of Punjab for acquisition of 308 kanals, 13 marlas (36 acres) including the land in question for public purpose, namely, research activities of Hydraulic Research Station, Pathankot and which was followed by a declaration dated 21.09.2018 under Section 19 thereof. Out of the total land, 208 kanals 4.5 marlas (about 26 acres) is claimed to be jointly owned by the petitioner as well as Varinder Dhir, in equal shares for which the compensation is being claimed.

(8) In pursuance of the aforesaid notification, Land Acquisition Collector, Pathankot (for short “Collector”) passed an Award No. 336, dated 20.09.2019 (P-14) under Section 23 of the Act of 2013, assessing the compensation amount to the tune of Rs. 15,61,77,080/- for the land measuring 208 kanals, 4.5 marlas (26 acres approximately).

(9) As the land owners were dis-satisfied with the amount of compensation, therefore, Collector made a reference under Section 64 of the Act of 2013 to the Authority. Since there were many claimants, therefore, another reference under Section 76, for apportionment of the compensation was also made.

(10) Petitioner moved an application before the Authority for release of compensation qua his ½ share, but the same has been rejected *vide* impugned order dated 14.12.2020. Hence, present petition.

PART-II

(11) Paper-book reveals that petitioner as well as Varinder Dhir (since deceased) entered into an Agreement to Sell (for short “Agreement”) dated 12.01.2007 with one Charanjit Singh Randhawa with respect to land measuring 96 kanal (12 acres) for sale consideration of Rs.3 Crore. It further reveals that Charanjit Singh Randhawa filed an application under Order 1 Rule 10 CPC for impleadment as party/respondent in Civil Appeal No. 174 of 2006 (State of Punjab vs Rattan Chand), but the same was dismissed *vide* order dated 21.04.2011 (P-6) by learned Additional District Judge, Gurdaspur.

(12) Later on, above Charanjit Singh Randhawa filed Civil Suit No. 3764 of 2014 for specific performance on the basis of agreement dated 12.01.2007. In the said suit, learned trial Court, *vide* order dated 04.09.2015, enjoined the petitioner (Gurdev Singh) as well as Varinder Dhir from alienating the suit property. Later on, the injunction order was challenged by the petitioner in CR No. 2423 of 2016, which was disposed off on 13.03.2023 as having been rendered infructuous in the following manner:-

“ At the joint request of learned counsel for the parties, the matter has been taken up for hearing today itself.

Learned counsel for the petitioners submits that this petition has been rendered infructuous as the suit land has been acquired by the State Government.

The petition stands disposed of as infructuous.”

(13) Also born out from the records that after issuance of the notifications dated 27.03.2017 and 21.09.2018 under the Act of 2013, the legal heirs of Charanjit Singh Randhawa filed another Civil Suit No. 535 of 2019 for perpetual injunction restraining the Government of Punjab from releasing the amount of compensation in favour of petitioner as well as Varinder Dhir (since deceased). Learned Civil Judge (Senior Division), Pathankot, vide order dated 31.07.2019, restrained the Government of Punjab from disbursing the amount of compensation.

(14) **CONTENTIONS**

(A) **ON BEHALF OF PETITIONER**

(i) It is contended that as per revenue records, petitioner is the owner of land to the extent of ½ share and moreover, the issue of ownership has attained finality upto the Hon’ble Supreme Court; hence he is entitled for the compensation, qua his half share.

(ii) Further contended that claim of respondent Nos. 2 & 3 (LRs of Charanjit Singh Randhawa) is based only on the alleged agreement to sell dated 12.01.2007, which (although denied) was executed 10 years prior to the acquisition of land in question; thus the same is having no force in the eyes of law. Even otherwise, till date, there is no decree for specific performance against the petitioner; hence, respondents no.2 and 3 have no right, title, interest or claim regarding the compensation of land in question.

(iii) Further contended that there is no justification to deny the compensation to the petitioner qua $\frac{1}{2}$ share by the Authority while passing the impugned order.

(B) ON BEHALF OF STATE

(i) It is contended that land in question was acquired long ago vide notification dated 02.06.1942, 17.09.1943 and the same is recorded as "*Gairmumkin Experimental*" and even in the column of possession, "*Hydraulic Research Station of Irrigation Department*" is recorded in "pre" as well as "post" consolidation of the revenue records of village Malikpur.

(ii) Also contended that in the column of rent, it is recorded as "*Bina Lagan Bawajan Bai*" and as such, even prior to the consolidation, the Hydraulic Research Station was very much in existence.

(C) ON BEHALF OF RESPONDENTS NO. 2 & 3

(i) It is contended by learned Senior Counsel that petitioner as well as Varinder Dhir entered into an agreement dated 12.01.2007 in favour of Charanjit Singh Randhawa, with respect to land measuring 96 kanal (12 acres) for sale consideration of Rs. 3 Crore and on the basis thereof, respondents no. 2 & 3 being legal heirs, are pursuing suit for specific performance since 2014 and the same is still pending; hence, petitioner cannot claim any compensation qua $\frac{1}{2}$ share of the land in question.

(ii) Also contended that till the rights of parties are not decided by the Court of competent jurisdiction, the amount of

compensation, *qua* ½ share cannot be released in favour of the petitioner or Varinder Dhir and as such, the impugned order has rightly been passed by the Authority.

(iii) Further contended that injunction order 31.07.2019 passed by learned Civil Court, restraining the authority from disbursing amount of compensation is still continuing; hence, claim of petitioner to the extent of ½ is not legally sustainable.

(15) Heard learned counsel for the parties and perused the records.

(16) Before proceeding further, it would be appropriate to recapitulate the relevant part of Award dated 20.09.2019 passed by the Collector and which reads as under:-

“Award under Section 23 and 30 of the Act 30 of 2013.

The Award for the acquisition of the land measuring 208 kanals 4.5 Marlas out of 308 Kanals 13 Marlas in different chunks situated in the Village Malikpur H.B. No. 240, Tehsil and Distt. Pathankot being acquired for the Hydraulic Research Station, Malikpur, Tehsil and District Pathankot under the provisions of “The Right to fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 is announced today i.e. on dated 20.09.2019. The total compensation of land being acquired comes out to be Rs. 15,61,77,080/- (Rupees Fifteen Crore, Sixty One Lakhs, Seventy Seven Thousand & Eighty only) details of which are as under :-

A	Total Area of the Land Acquired	208 Kanals – 4.5 Marlas out of 308 Kanals – 13 Marlas
B	Nature of the Acquired land	“Agriculture Chahi”
C	Per acre rate approved by the Competent Authority	Rs. 30,00,160/-
D	Total Market value of the Acquired Land	Rs. 7,80,88,540/-
E	Value of assets/structure, if any	Nil
F	Total Value of the Acquired Land	Rs. 7,80,88,540/-

<i>G</i>	<i>Multiplication factor</i>	<i>One (1)</i>
<i>H</i>	<i>Additional amount @ 12% interest u/s 30-(3)</i>	<i>Nil</i>
<i>I</i>	<i>100% Solatium on the total market value</i>	<i>Rs. 7,80,88,540/-</i>
	<i>Total Value of Award (F+H+I)</i>	<i>Rs. 15,61,77,080/-</i>

The details of the land acquired and compensation determined for the land acquired is enclosed herewith as “Annexure-D”

- Multiplication factor is one (As per the Govt. Notification 24/84/2013-LR-1/167196 dated 30.10.2014) because the Acquired Land falls within the 10 kilometer jurisdiction of the urban area. So, it has no effect on the total amount of the Award.*
- Additional amount @ 12% interest u/s 30-(3) is calculated as “Nil” because as per the Preliminary Notification u/s 11(1) issued by the Competent Authority, the Acquiring Department already has possession over the acquired land, since 1925.*

PARTICULARS OF ABATEMENT OF GOVERNMENT REVENUE, OR OF THE CAPITALIZED VALUE PAID, THE DATE FROM WHICH THE ABATEMENT TAKES EFFECT.....which is N/A

APPORTIONMENT OF THE AMOUNT OF COMPENSATION

*While proceeding under the necessary provisions of the Act, Objections u/s 15 of the Act were received in this office on the Preliminary Notification issued by the Competent Authority, which were processed and dealt with as per provisions of the Act and were approved to be filed by the Govt. vide memo No. 4/1/2017-IW(3)-1267430/1 dated 10.7.2018. During the further proceedings on the acquisition, certain claims were received u/s 21 of the Act. Examination of the claims/objections alongwith the supporting documents as read with the office record alongwith the orders of various civil courts where the entitlement of the claimant persons interested has been questioned by the court itself, brought to the notice of the Collector that disputes exist as regards the title of the land being acquired which further raise disputes about the subsequent apportionment of the compensation. So, keeping in view the chequered history of the case, the entire record of the office including revenue record, record available of the civil litigation, reports of the revenue department as well as the objections alongwith the supporting documents submitted with objections were scrutinized/examined. It has come to the notice that there are specific restraining orders dated 4.9.2015 (**Annexure-E**) passed by the Ld. District and*

Sessions Judge, Pathankot, wherein Ld. District and Sessions Judge Sh. Balwinder Singh Sandhu has specifically restrained the Respondents/Defendants Sh. Gurdev Singh and Sh. Varinder Dhir (amongst the claimant persons interested) from alienating the suit property to any other persons in any manner, except to Sh. Charanjit Singh (Appellant/Plaintiff) (amongst the claimant persons interested) till the disposal of the main suit for possession by way of specific performance of agreement of sale which is pending. This fact further got established as per the verification report of Tehsildar Pathankot dated 5.9.2019. As per the report, this restraining order dated 4.9.2015 has been duly complied with and the necessary updation of the revenue record by way of entries in the relevant columns of the revenue records i.e. the Remarks Column was carried out before the Preliminary Notification.

Further, in another case pending in the Court of Ld. District and Sessions Judge, Pathankot vide order dated 18.5.2015 (**Annexure-F**), the Ld. District Judge Sh. Balwinder Singh Sandhu, has also specifically restrained the respondent/defendant Sh. Varinder Dhir (amongst the claimant persons interested) from alienating the suit land to any other person in any manner except the plaintiff Sh. Gunraj Singh (amongst the claimant persons interested) till disposal of the main suit for possession by way of specific performance of agreement of sale, which is pending. This fact further got established as per the verification report of Tehsildar Pathankot dated 5.9.2019. As per the report, this restraining order dated 18.5.2015 is being duly complied with and the necessary updation of the revenue record by way of entries in the relevant columns of the Revenue record i.e. the Remarks Columns was carried out before the Preliminary Notification.

Further scrutiny revealed that the appeal of the partition proceedings of the said land being "joint Khata" is pending in the Hon'ble Punjab and Haryana High Court, Chandigarh (SOA No. 41 of 2017) (**Annexure-G**). On going through this case, it has come to the notice that Permanent injunction/Partition judgment passed by the Court of Civil Judge, Junior Division, Pathankot dated 22.09.2014 (**Annexure-H**) was set-aside and remanded by the Court of Additional District Judge, Pathankot dated 29.11.2016 (**Annexure-I**). The Judgment of Ld. Additional District Judge (**Annexure-I**) sheds light on the question on title involved and the shares of the shamlat land involved in the transactions involving claimant Persons Interested. Thereafter, this judgment of the Court of Additional District Judge was challenged in the Hon'ble High Court. As the persons claiming interest in the land being acquired have approached the Hon'ble High Court to get their title /rights established, their share in the joint land and their subsequent placement in the decided shares as per the finally decreed maps of partition is yet to be adjudicated. In this background, the Collector cannot proceed to fill the data in the relevant columns (as to apportionment) of Form No. VI i.e. The Land Acquisition Award (Rule 11 of the Land Acquisition Rules 2015).

In another case titled Tegbir Singh Randhawa & others VS State of Punjab and others, wherein Plaintiffs have prayed for permanent injunction restraining the State of Punjab, Department of Irrigation and Power Research (Defendant No. 1) and SDM cum Land Acquisition Collector, Pathankot (Defendant No. 2) from disbursing compensation in the present acquisition and also for decree of mandatory injunction directing the above mentioned defendants to deposit the award amount in bank as FDR and to release as per the directions of Hon'ble Court, the Court of Ld. Civil Judge (Senior Division) Pathankot has observed that

“ In these circumstances, respondents can also not said to be entitled to receive compensation on account of acquisition of said land from defendants no 1 and 2 till said controversy is decided”,

*The Ld. Court has specifically restrained the State of Punjab, Department of Irrigation and power Research, Pathankot (Defendant No. 1) and the Sub Divisional Magistrate-cum-Land Acquisition Collector, Pathankot (Defendant No. 2) from disbursing the compensation in the present acquisition being disputed, vide order dated 31.7.2019 (**Annexure-J**). This restraining order has not been vacated by any subsequent specific order of the court. Further directions in this case are awaited.*

*Further, Appeal of Mutation No. 5632 (**Annexure-K**) Village Malikpur pertaining to the estate of Sh. Varinder Dhir (claimant person interested) is pending adjudication in the Court of S.D.M-cum-Collector, Pathankot. In this disputed mutation, the report of Tehsildar Pathankot dated 5.9.2019 mentions about the stay order passed by the Ld Court of Additional Commissioner (Appeals) dated 11.06.2018 on mutation No. 5632 (sanctioned by the AC-II Grade on 30.11.2017) pertaining to the estate of Sh. Varinder Dhir. In this background, it is not possible for the Land Acquisition Collector to fill the data in the relevant columns (as to apportionment) of Form No-VI i.e. The Land Acquisition Award (Rule 11 of the Land Acquisition Rules, 2015). Also, Civil Revision No. 2423 of 2016 (Gurdev Singh & another VS Charanjit Singh) (**Annexure-L**) is pending in the Hon'ble Punjab and Haryana High Court, Chandigarh.*

In this background, Since the Rights of the claimant Persons interested have been challenged in Hon'ble Civil Courts/Hon'ble Punjab and Haryana High Court and the entire matter being sub-judice, in which Multiple Restraining Orders have been passed even before the Publication of Preliminary Notification, and in one of the case, the State of Punjab, Department of Irrigation and Power Research, Pathankot through Collector, Pathankot as well as the Land Acquisition Collector of the present acquisition have been restrained from distribution of the compensation and simultaneously, the Appeal of the Partition of said land being joint khata is also pending in the Hon'ble Punjab and Haryana High Court, Chandigarh. As such, Intricate Questions of Law are involved in this matter which are pending adjudication at

various levels in different Hon'ble Courts. The litigation pertains to the question of title, share of land including shamlat land, various agreements of sale, succession etc. Multiple Restrain Orders including restrain on disbursement of compensation in the present acquisition are in existence as on date. As such, The Collector is not in a position to fill the relevant columns (as to apportionment) of Form No.-VI. Hence, it is not possible to fill the data in the Relevant Columns (as to apportionment) of Form No.-VI i.e. The Land Acquisition Award (Rule 11 of the Land Acquisition Rules, 2015).

From perusal of the above extract, it is clearly discernible that litigation, including the suit for specific performance filed by Charanjit Singh Randhawa, against Gurdev Singh etc.; Suit for possession by way of specific performance filed by Charanjit Singh Randhawa against Varinder Dhir; partition proceedings *inter-se* co-sharers; suit for perpetual injunction restraining the State of Punjab from disbursing compensation at the instance of Tegbir Singh Randhawa; appeal against mutation No. 5632 pertaining to estate of Varinder Dhir; are still pending. Even the Collector while passing the above Award, was not able to fill up the Form No.VI, pertaining to the apportionment of compensation regarding land in question and as a result thereof, the same has been referred to the Authority for adjudication, which admittedly is still pending for consideration.

(17) As noticed here-in-above, the litigation *inter-se* parties at various levels is pending; hence, the disbursement of compensation, at this stage, either to the petitioner or in favour of respondents No.2 & 3, would be premature. Resultantly, this Court is in complete agreement with the reasoning given by the Authority while rejecting the claim of petitioner.

(18) Apart that, it is also noteworthy that in compliance of the order dated 02.03.2023, an affidavit dated 10.04.2023 of Shri Kala Ram Kansal, Land Acquisition Collector-cum-Sub-Divisional Magistrate, Pathankot, has been filed and in which the details of acquisitions for Hydraulic Research Station, Malikpur are disclosed and relevant part of the same is extracted as under:-

“2. It is humbly submitted that in compliance of the abovementioned order of this Hon’ble Court, the undersigned has taken reports from the office of the Hydraulic Research Station, Pathankot of Irrigation Department (hereinafter referred to as “H. R. S. Pathankot”) and Tehsildar.

*It is stated that as per the report submitted by the office of H.R. S., Pathankot, total land measuring **210.90 Acres** was acquired for the H.R.S.Pathankot, out of which land measuring **161.47 Acres** land falls within the Revenue Estate of Village Malikpur, 36.0 Acres falls within the Revenue Estate of Village Bahadur Lahri, 11.23 Acres falls within the Revenue Estate of Village Bharoli Khurd and 2.20 Acres falls within the Revenue Estate of Village Dadwal. A copy of the letter No. 21/MLKPR dated 14.03.2023 received from the H.R.S. Pathankot is annexed herewith as **Annexure R-1** for the kind perusal of this Court.”*

Annexure R-1

“From

*Research Officer,
Hydraulic Research Work Station,
Malikpur, Tehsil and Distt. Pathankot.*

To

*Land Acquisition Collector-cum-
Sub Divisional Magistrate,
Pathankot.*

No.21 Dated 14/3/2023

Sub: CR No. 92/2021 (Gurdev Singh VS LAC and others)

With reference to the letter No. 99/SDA dated 06.03.2023, it is requested that land measuring 161.47 Acres in the Village Malikpur, land measuring 11.23 Acres in the Village Bahadur Lahri, land measuring 36.00 Acres in the Village Bharoli Khurd and land measuring 2.20 Acres in the Village Dadwal was acquired

by the Department for the Hydraulic Research Station Malikpur. The village wise detail is attached herewith for your ready reference.

*Sd/-
Research Officer,
Hydraulic Research Work Station,
Malikpur, Tehsil and Distt. Pathankot*

Detail of land belonging to Hydraulic Research Station, Malakpur

<i>Total Land</i>	<i>210.9 Acre</i>
<i>Village Wise detail</i>	
<i>Village Malakpur</i>	<i>161.47</i>
<i>Village Bharoli Khurd</i>	<i>36.00</i>
<i>Village Bahadur Lahri</i>	<i>11.23</i>
<i>Village Dadwal</i>	<i>2.20</i>
	<i>.....</i>
	<i>210.90 Acre</i>

Total land Transferred to PUDA Vide mutation No. 4251 of 18/12/2000

<i>Village Malakpur</i>	<i>58.00</i>
<i>Village Bahadur Lari</i>	<i>36.00</i>
<i>Village Bharoli Khurd</i>	<i>11.23</i>
	<i>.....</i>
<i>Total</i>	<i>105.23 acre</i>

<i>Sd/- Sub-Divisional Officer, Hydraulic Sub Division,IPRI Malikpur, Pathankot</i>	<i>Sd/- Research Officer Hydraulic Division No.1, IPRI, Amritsar.”</i>
---	--

(19) In the aforesaid affidavit, details of the notifications issued for acquisition of land in question (**Village Malikpur**), during pre-independence era, have also been reflected. For reference, the relevant part of the notifications along with the areas acquired, would be as under:-

<i>Sr. No.</i>	<i>No. and date of notification U/S 4 of the Land Acquisition Act 1894</i>	<i>Area Acquired (acres)</i>
<i>1.</i>	<i>9380-Hav 21.09.1937</i>	<i>2.99</i>
<i>2.</i>	<i>12103-sou 17.05.1939</i>	<i>2.00</i>
<i>3.</i>	<i>1835/s/119/1910 22.01.1942</i>	<i>3.55</i>
<i>4.</i>	<i>1838-s-119-1910 22.01.1942</i>	<i>8.94</i>
<i>5</i>	<i>1841/s/119/1910 22.01.1942</i>	<i>9.04</i>
<i>6.</i>	<i>140-S/119/1910 2.06.1942</i>	<i>25.17</i>
<i>7</i>	<i>6199-S/119/1910 17.09.1943</i>	<i>40.80</i>
<i>8.</i>	<i>271-S/119/1910 dated 05.01.1944</i>	<i>2.20 for village Dadwal</i>

9	1647/Irr-W-58/40238 <i>dated</i> 06.11.1958	13.17
10.	2725-IW-II-60/17608 <i>dated</i> 30.06.1960	28.06
11.	2514-1W-II-60-16804 <i>dated</i> 20.06.1960	13.82
12.	2881/IRR-W-2-60/18596 <i>dated</i> 04.07.1960	3.99
13	1737-IRR(W)-3-61/14224 19.04.1961	3.06
14	9325-WII(3)-62/32874 <i>dt.</i> 18.10.1962	10.18 (Bharoli Khurd <i>and</i> 1.40 <i>(for</i> Bharoli Kalan)
15.	4/1/2007-1W(3)945517/1 <i>dated</i> 27.03.2017	26

(20) In view of the discussion made here-in-above, it is quite evident that disputes between the parties *qua* land in question are pending before various forums, including the suit(s) for specific performance.

(21) At the same time, it would be necessary to observe here that as per notification dated 27.03.2017 (P-8) itself, the Government of Punjab is in continuous possession of the land in question since 1926. Despite that, the Government withdrew the SLP and decided to acquire the land by paying whopping compensation of Rs.15,61,77,080/- for the reasons best known to them. There is nothing on record to suggest as to what weighed with the Government to withdraw the SLP without waiting for its final adjudication before the Hon’ble Supreme Court. Therefore, in such a scenario, this Court will not express any opinion; rather leave the matter to be examined by the quarter concerned for taking such an unusual step.

- (22) In view of the above discussion, there is no option except to dismiss the revision petition.
- (23) Ordered accordingly.
- (24) Since huge public exchequer is at stake, therefore, the Chief Secretary, Punjab shall examine the issue for withdrawal of the SLP, without waiting for its final adjudication and if need be, to take necessary action, as per law.
- (25) Needless to say that above observations may not be construed as expression of opinion on the merit of the controversy in any manner.
- (26) Pending application(s), if any, shall also stand disposed off.

July 10th, 2023
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No