

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

CR-6122-2023

Date of Decision: October 13, 2023

ROSHAN LAL (SINCE DECEASED) THROUGH HIS LRS

..... Petitioner

Versus

STATE OF HARYANA AND OTHERS

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. A.K.Jindal, Advocate for the petitioner.

HARKESH MANUJA, J. (ORAL)

Prayer in the present revision petition is for issuance of directions to expedite the proceedings before the Executing Court pertaining to execution case No.EXE/987/2019 (Roshan Lal Vs. State of Haryana and Ors.)

2. In the present case, certain land falling in the revenue estate, Karnal, Hadbast No.1, Teshil and District Karnal came to be acquired vide notification dated 08.02.1989 followed by an award dated 19.12.1990. The predecessor-in-interest of petitioner being tenant over the property in question filed reference petition under Section 18 read with Section 30 of Land Acquisition Act, 1894 (hereinafter referred to as 1894 Act) seeking enhancement as well as apportionment of compensation, the same was adjudicated upon by the Reference Court vide judgment dated 17.07.2017. The relevant Para 20 thereof is reproduced hereunder:-

“20. As a result all the reference petitions are hereby accepted with costs and compensation for the acquired land is awarded at the rate of Rs.147.68/- per square yard along with statutory benefits. Besides the above,

the petitioners will get compulsory acquisition charges at the rate of 30%, additional amount at the rate of 12% per annum and interest in accordance with Section 23(1-A), 23 (2) and 28 of the Act. The amount of compensation shall be proportionate between the petitioners-tenants and respondents-landowners to the effect that the petitioners-tenants shall be entitled for 3/4th share of the total amount of compensation and the respondents-landowners shall be entitled for 1/4th of the total amount of compensation in respect of acquired land as mentioned in statement No.19 Ex.PW5/A filed by Land Acquisition Collector. Counsel fee is assessed at Rs.750/- in each case. Let a copy of this judgment be also placed on the connected case file titled as Akhil Gupta etc. Vs. Hr. State and Naresh Kumari etc. Vs. Hr. State. Memo of costs be prepared and file be consigned to record room after due compliance. “

3. Based thereupon, the petitioner filed execution application No.EXE/987/2019 wherein, a part of compensation has been released in favour of petitioner, however, the award in his favour has not been satisfied in toto.

4. Learned counsel for the petitioner submits that acquisition proceedings commenced in the year 1989 and for the past almost 34 years, the landowner has not been able to derive his entitlement though, the petitioner has even lost his predecessor-in-interest who initiated the proceedings.

5. Notice of motion.

6. Mr. Pritam Singh Saini, Advocate accepts notice on behalf of respondent No.2 and Mr. Shivendra Swaroop, DAG, Haryana accepts notice on behalf of respondents No.1 and 3.

7. I have heard learned counsel for the parties and gone through the paper-book.

8. A perusal of record shows that admittedly the acquisition proceedings commenced in the year 1989, however, the petitioner has not been paid the amount due towards him even after the expiry of period of almost 34 years and the matter is going on before the Executing Court for the past almost 4 years.
9. In view thereof, without expressing any opinion on the merits of the case, the Executing Court is requested to expedite the proceedings in Execution case No.EXE/987/2019 (“Roshal Lal Vs. State of Haryana and Ors.”) and to conclude the same as expeditiously as possible within the period of four months, from today.
- 10 The present revision petition stands disposed of accordingly.
11. Pending application(s), if any, shall also stand disposed of.

13.10.2023
tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>