

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

CR-6384-2023

Date of Decision: October 30, 2023

KRISHAN KUMAR

..... Petitioner

Versus

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rajeev Sharma, Advocate for the petitioner.

HARKESH MANUJA, J. (ORAL)

1. Limited prayer made in the present revision petition is for issuance of directions to the Executing Court for expeditious disposal of Execution Petition No.238 of 2020 titled as '*Krishan Kumar Versus State of Haryana and others*', pending before it.

2. Learned counsel for the petitioner submits that in furtherance to the acquisition of land owned by the petitioners, reference under Section 18 of Land Acquisition Act, 1894 filed at his instance was allowed vide judgment dated 16.10.2019 in terms of Judgment of even date, passed in LAC No.42 of 2014 titled as '*Ramphal etc. Vs. State of Haryana and Others*' and the market value of the acquired land was assessed at Rs.86,60,000/- per acre besides other statutory benefits.

3. Based thereupon, the petitioner filed Execution petition No.238 of 2020 titled as '*Krishan Kumar Versus State of Haryana and Others*' before the Ld. Additional District Judge, Sonipat (reference court), however, the same is being repeatedly adjourned without issuance of any directions to the respondents regarding release of the enhanced amount. Learned counsel also submits that even the Regular First Appeal No.532 of 2020 titled as '*Krishan Kumar Vs. State of Haryana and Others*' filed

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at the instance of petitioner also stands partly allowed vide judgment dated 27.10.2022.

4. Notice of motion.

5. Ms. Vibha Tewari, AAG, Haryana accept notice on behalf of respondents No.1 and 2.

6. I have heard learned counsel for the parties and have gone through the record.

7. Considering the fact that notification under Sections 4 and 6 of the Land Acquisition Act, 1894 was issued in the present case on 14.07.2010 and 07.07.2011 respectively followed by an award passed by Land Acquisition Collector on 15.03.2013 and the reference Court enhanced the compensation vide judgment dated 16.10.2019 with further enhancement by this Court vide decision dated 27.10.2022, petitioner has not been able to get his rightful dues against the acquisition of his land, the Executing Court is requested to dispose of the Execution application which is pending since December 2019, preferably within a period of 4 months from today as even otherwise the pendency of Execution petition is burdening the State with regard to discharge of their statutory liability qua interest as well.

8. Disposed of in the aforesaid terms.

30.10.2023
tejwinder

(HARKESH MANUJA)
JUDGE

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