

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

127

CR-6596-2023 (O&M)
Date of Decision: 06.11.2023

Tara Chand (deceased) through LRs

...Petitioner

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rajeev Sharma (Raju), Advocate for the petitioner.

Mr. Anjali, Advocate for
Mr. Harmanjot Singh Gill, Advocate for the respondent.

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.31 of 2021 titled as 'Tara Chand deceased through LRs Vs. State of Haryana and ors.', 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.32 of 2014 titled as 'Kawal Singh and others 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.31 of 2021 titled as 'Tara Chand deceased through LRs Vs. State of Haryana and ors.', before the 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.395 of 2020 titled as 'Tara Chand deceased through LRs Vs. State of Haryana and ors.', filed at the instance of petitioner also stands partly allowed vide judgment dated 27.10.2022.

4. Notice of motion.

5. Mr. Shivendra Swaroop, DAG, Haryana, 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 Notifications under Sections 4 and 6 of the Land Acquisition Act, 1894 were 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(s) 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 application is burdening the State with regard to discharge of their statutory liability qua interest as well.

8. Disposed of in the aforesaid terms.
9. Pending application(s), if any, shall stand(s) disposed off.

06.11.2023
Mangal Singh

(HARKESH MANUJA)
JUDGE

Whether Speaking / Reasoned :	Yes	No
Whether Reportable :	Yes	No