

CR-4580-2024 [1]

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-4580-2024
Date of decision: 13.08.2024

Narinder Singh ...Petitioner
Versus
State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ashok Bhardwaj, Advocate for the petitioner.

Mr. Puru Jarewar, AAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

1. Prayer in the present civil revision petition is for issuance of direction to reference Court-cum-Additional District Judge, Sangrur for expeditious disposal of execution petition bearing No.1161-2019 titled Jagjit Singh and others Vs. State of Punjab.
2. Admittedly, certain land owned by petitioner was acquired vide notifications dated 20.11.2006 and 29.04.2007, issued under Sections 4 and 6 of Land Acquisition Act, 1894 (in short 'the Act'), followed by an award dated 12.04.2008. Land reference petition filed by petitioner under Section 18 of the Act was dismissed by the reference Court. However, RFA filed by the land owners was allowed and amount of compensation was enhanced by this Court vide order dated 27.1.2016 (Annexure P-1). Thereupon, the petitioner and other land owners filed execution application in year 2019 and the same is pending since then and till date, the enhanced amount of compensation is not disbursed to the petitioner and other land owners.
3. The counsel for the petitioner submits that the petitioner being

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aggrieved has filed the present revision petition with direction to the Executing Court concerned to decide the execution application expeditiously, in a time bound manner.

4. I have heard the counsel for the petitioner.

5. A perusal of record shows that execution application (Annexure P-5) filed by the petitioner and other land owners on 29.07.2019, is still pending and the petitioner is waiting to get amount of compensation on the basis of order dated 27.01.2016 (Annexure P-1).

6. In ***Rahul S. Shah Vs. Jinendra Kumar Gandhi and others (2021) 6 SCC 418***, the Hon'ble Supreme Court held as follow:-

“That the executing Court must dispose of execution proceeding within 6 months from the date of filing which may be extended only by recording reasons in writing for such delay.”

7. In view of the above, the Court of Additional District Judge, Sangrur (the Executing Court) is requested to dispose of the execution petition bearing No.1161-2019 as expeditiously as possible, preferably within a period of next 3 months from today, as the further delay is going to cause serious prejudice to the rights of the petitioner-land owner.

8. It is made clear that nothing said herein-above shall be construed as an expression of opinion on the merits of the execution proceedings.

9. The present petition is disposed of in aforesaid terms.

13.08.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No