

2024:PHHC:156358

213-U IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCR-4637-2024 (O&M)
Decided on:-22.11.2024

Meer Singh and anotherPetitioners..

VS.

State of Haryana and others ...Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rohan Moudgil, Advocate for
Mr. Sandeep Sharma, Advocate,
for the petitioners.

HARKESH MANUJA J. (Oral)

1. Prayer in the present civil revision petition is for issuance of direction to the learned Executing Court to decide the execution petition No.1969 of 2023, titled as "***Meer Singh and another vs. State of Haryana***" within specified period for release of the compensation of the Award of LAC case No.418 of 2016, which was decided by the reference court vide order dated 07.07.2023 (Annexure P-1) and in view of the judgment passed by the Hon'ble Division Bench in LPA-581-2022.

2. Admittedly, land measuring 3 acres situated in the revenue estate of village Pawala Khusrupur, District Gurugram, owned by the petitioners was acquired followed by an award No.75 dated 31.03.2010, whereby, the Land Acquisition Collector awarded compensation to the tune of Rs.60 lacs per acre.

3. Feeling dissatisfied, the petitioners-land owners filed petition

under Section 18 of the Land Acquisition Act, 1894 before the Reference Court, Gurugram, which was allowed vide order dated 07.07.2023 while enhancing the compensation from Rs.60 lacs to Rs.4,78,79,070/- per acre, but till date the respondents have not released the compensation. Thereafter, the petitioners/land owners filed execution petition No.1969-2023 before the Reference Court, Gurugram.

4. Learned counsel for the petitioner submits that the petitioner being aggrieved of the delay has filed the present revision petition for issuance of direction to the Executing Court concerned to decide the execution petition expeditiously, in a time bound manner.

5. I have heard the learned counsel for the petitioner.

6. A perusal of record shows that execution petition (Annexure P-2) filed by the petitioners on 21.10.2023, is still pending and the petitioner is waiting to get their amount of compensation on the basis of decision dated 07.07.2023 passed by the reference court as well as in view of judgment dated 02.05.2024 passed by this Court (Annexures P-1 and P-6 respectively).

7. 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.”

8. In view of the aforementioned legal position, the Executing Court is requested to dispose of the execution petition bearing No.1969-2023 as expeditiously as possible, preferably within a period of next 06 months from today, as any further delay may cause serious prejudice to the rights of the petitioners-land owner.

9. It is made clear that nothing said herein-above shall be construed as an expression of opinion on the merits of the execution proceedings.
10. The present petition is disposed of in aforesaid terms without issuance of any notice to the respondents as it may cause further delay in the proceedings.
11. Pending application, if any, stands disposed of.

22.11.2024
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/ No