

2024:PHHC:155621



246-Urgent

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

**Civil Revision No. 6762 of 2024 (O&M)
Date of Decision: 25.11.2024**

Yadwinder Singh @ Bhupinder Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

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

HARKESH MANUJA, J. (ORAL)

Prayer in the present revision petition is for issuance of directions for expeditious disposal of Execution Application No. 676 of 2023 filed on behalf of the petitioner and pending before the learned Additional District Judge, Sangrur (**hereinafter to be referred as “Reference Court”**).

[2] Briefly, the facts are that in pursuance of Punjab Govt. Notification dated 20.11.2006 issued under Section 4 of the Land Acquisition Act, 1894 (**for short “the Act”**), followed by Notification dated 29.04.2007 issued under Section 6 thereof, the land measuring 592 acres, 7 kanals and 16 marla, including the land of petitioner, situated in the revenue estate of ten villages, namely, Shahpur Nau Abad Their, Andana, Mandvi, Chandu, Makror Sahib, Nawangaun, Jaswantpur @ Hotipur, Baupur, Banarsi and Khanori Kalana, for embankment and widening of Ghaggar river, was acquired. The Land Acquisition Collector (**for short “LAC”**)

vide Award dated 12.04.2008, assessed the market value at the rate of Rs. 6,00,000/- per acre including solatium *qua* the land of nine villages at flat rate and Rs. 10,00,000/- per acre *qua* the land of Village Khanouri, while awarding Rs. 7,00,000/- per acre for the land abutting the road.

[3] Dissatisfied with the aforesaid Award, landowners / interested persons filed objections under Section 18 of the Act, which were dismissed vide award dated 15.12.2010 passed by the Reference Court.

[4] Still aggrieved, the landowners challenged the aforesaid Award dated 15.12.2010 before this Court by way of bunch of Regular First Appeals; lead case of which was ***RFA No. 3367 of 2011***, titled “***Sadhu Ram Versus State of Punjab***”, seeking further enhancement of compensation, the same were disposed off vide common judgment dated 27.01.2016 (Annexure P-1), while assessing the market rate of the acquired land @ Rs. 15,95,600/- per acre for all villages except Village Khanouri, for which, the compensation was enhanced at the uniform rate of Rs. 21 lacs per acre, besides other statutory benefits.

[5] Hence, the petitioner filed the aforesaid Execution Application, annexed with the petition as **Annexure P-5**.

[6] It is averred in the petition that the other co-sharer filed Execution Application No. 1162 of 2019, titled “***Narinder Singh Versus State of Punjab***”, which is pending consideration, however, the petitioner was inadvertently left from the array of parties in the said Execution Application, hence, the petitioner later filed the present Execution Application, which is still pending.

[7] It is contended by learned counsel for the petitioner that present controversy is squarely covered with the judgment dated 20.10.2023 (Annexure P-6) passed by this Court in ***Civil Revision No. 136 of 2023***, titled “***Amanpreet Singh and others Versus State of Punjab and another*”, arising out of the same notification, vide which the land of petitioner had been acquired.**

[8] Notice of motion.

[9] Mr. Athar Ahmad, Deputy Advocate General, Punjab, accepts notice on behalf of the respondents and is not in a position to controvert the above factual position.

[10] I have heard learned counsel for the parties and gone through the paper-book.

[11] From the records, it is apparent that the present case is squarely covered with the judgment dated 20.10.2023 passed in ***Amanpreet Singh’s case (supra)***, which is arising out of the same acquisition / Notification dated 20.11.2006 covering the same revenue estate(s), whereby the Additional District Judge, Sangrur, was requested to dispose off the execution petition as expeditiously as possible, preferably within a period of two months. For reference, relevant para-6 of the aforesaid decision dated 20.10.2023 reads as under:-

“ 6. *In view of the discussion made hereinabove, the Additional District Judge, Sangrur, is requested to dispose of the execution petition bearing No. EXE/494/2017 as expeditiously as possible, preferably within a period of two months from today, as its delayed pendency is causing serious prejudice to the rights of petitioner-landowners, besides burdening the State Exchequer towards the liability*

on account of interest on delayed disbursement of compensation.”

[11.1] Based upon the above, the Additional District Judge, Sangrur is requested to dispose off the execution application filed at the instance of petitioner in terms of decision dated 20.10.2023 passed in *Amanpreet Singh’s case (supra)*.

[12] Disposed off accordingly.

[13] Pending miscellaneous application(s), if any, shall also stand disposed off.

November 25, 2024

(HARKESH MANUJA)
JUDGE

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