



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Civil Writ Petition No. 3203 of 2023 (O&M)
Date of Decision: 04.11.2025

Asha Khanna

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sushant Kareer, Advocate
for the petitioner.

Mr. Abhinav Kalia, Deputy Advocate General, Haryana
for the respondents.

HARKESH MANUJA, J. (ORAL)

The following prayer / relief has been sought for in the present
petition:-

“ Civil Writ Petition under Article 226 of the
Constitution of India in the nature of Mandamus directing
the respondents no. 1 & 2 to appoint an arbitrator herein in
accordance with the mandate of Section 8 of the Punjab
Requisitioning and Acquisition of Immovable Property Act,
1953, as the respondents have failed to take a decision on
awarding compensation or upon the said failure have failed
to appoint an arbitrator to adjudicate the compensation
upon the application dated 22.09.2018 (Annexure P-2) made
by the petitioner. ”

[2] A perusal of the record shows that the land owned by the
petitioner being situated in the revenue estate of Village Mujessar, Tehsil
Ballabhgarh, District Faridabad came to be notified on 31.01.1950 by the
Ministry of Rehabilitation, Govt. of India for setting up a New Industrial
Township in Faridabad. Later, vide notification dated 01.04.1963 under

Section 7 of the Punjab Requisitioning and Acquisition of Immovable Property Act, 1953 (**for short “1953 Act”**), the land of petitioner was acquired. However, for the purpose of making assessment of compensation as mandated under Section 8 of the 1953 Act, the proceedings were never initiated.

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

[4] The factum of assessment of compensation being not done in favour of the petitioner-landowner has not been disputed or denied by the respondents. A perusal of Section 8 (1) (b) of the 1953 Act shows that the State Govt. needs to appoint an Arbitrator being a person who is, or has been, or is qualified for appoint as a Judge of a High Court. Relevant Clause (1) (b) of Section 8 of the 1953 is re-produced hereunder:-

“8. Principles and methods of determining compensation:

(1) xxxx

(a) xxxx

(c) where no such agreement can be reached, the State Government shall appoint as arbitrator a person, who is, or has been, or is qualified for appointment as a Judge of a High Court.”

[5] Considering the facts and circumstances of the present case wherein the petitioner has been approaching the respondents for the past almost seven decades for release of compensation, learned District Judge, Faridabad is hereby appointed as an Arbitrator in terms of Section 8 (1) (b) of the 1953 Act. The petitioner shall furnish their objections/reference before the learned District Judge, Faridabad within 30 days from the date of receipt of certified copy of this order and the same shall be decided / adjudicated upon by following the fundamental principles under the Code of

Civil Procedure, 1908 / natural justice being an Arbitrator. Learned District Judge, Faridabad / Arbitrator is requested to expedite the proceedings and conclude the same within one year from the date of filing the objections / reference petition by the petitioner. It is made clear that amount of compensation determined by the learned Arbitrator be released in favour of the petitioner-landowner within two months from passing of the Award.

[6] **Disposed off** accordingly.

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

November 04, 2025
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No