

2025:PHHC:029373



277-Urgent

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

**Civil Revision No. 1248 of 2025 (O&M)
Date of Decision: 28.02.2025**

Kalu @ Kalu Ram

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Karan Singla, Advocate
for the petitioner-landowner.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition filed under Article 227 of the Constitution of India, seeks issuance of directions to the Executing Court to decide the execution proceedings in ***Execution No. 52 of 2020***, titled ***“Kalu Versus State of Punjab etc.”*** within a time bound period.

[2] Admittedly, certain land owned by the landowner-petitioner was acquired vide notification dated 20.11.2006 and 29.04.2007 issued under Sections 4 and 6 of the Land Acquisition Act, 1894 (**for short “the Act”**) respectively, followed by an award dated 12.04.2008 passed by the Land Acquisition Collector, whereby the compensation was granted to the tune of Rs. 6,00,000/- per acre including solatium qua the land of nine villages (i.e. Shahpurnau Abad Theri, Andana, Mandvi, Chandu, Makror Sahib, Nawangaun, Jaswantpur @ Hotipur, Baupur and Banarsi) at flat

rate, while Rs. 10,00,000/- per acre qua the land Village Khanouri. Feeling dissatisfied, the landowner(s) filed petition under Section 18 of the Act, which was dismissed by the Reference Court vide award dated 15.12.2010.

[3] Aggrieved thereof, the petitioner-landowner and other landowners filed Regular First Appeal(s) before this Court, which were partly allowed vide order dated 27.01.2016 (Annexure P-1) enhancing the compensation to the tune of Rs. 15,95,600/- per acre qua nine villages and as regards Village-Khanouri, compensation was enhanced to Rs.21,00,000/- per acre. Thereafter, the petitioner filed execution application, which was disposed of vide order dated 27.02.2017, vide which, the decree-holders, including the petitioner were awarded compensation excluding solatium and interest. Aggrieved against the aforesaid order, the petitioner and other landowners challenged the order by filing CR No. 4676 of 2017 before this Court, which was disposed of vide order dated 21.07.2017 with direction to the learned ADJ, Sangrur to re-evaluate the objections raised by the judgment-debtor/State. Accordingly, vide order dated 20.12.2017, learned ADJ, Sangrur, reassessed the compensation at the rate of Rs. 39,50,082/- per acre, subject to the deduction of amounts already paid to the decree-holders on 27.02.2017, but the respondent-State has not released the full compensation. Later, the petitioner-landowner filed the aforesaid Execution Application No. EXE/52/2020 before the learned Additional District Judge, Sangrur for making payment of compensation, however, till date, the enhanced amount of compensation has not been disbursed to

the petitioner.

[4] Learned counsel for the petitioner submits that the petitioner being aggrieved of the non-disbursal of amount of compensation has filed the present revision petition for issuance of direction to the Executing Court concerned to decide the execution application expeditiously, in a time bound manner.

[5] Notice of motion.

[6] On asking of the Court, Mr. Vishnav Gandhi, Deputy Advocate General, Punjab, accepts notice and waives services on behalf of sole respondent and assures to make the necessary payment in favour of the petitioner.

[7] I have heard learned counsel for the parties and perused the paper-book.

[8] A perusal of record shows that Execution Application (Annexure P-4) filed by the petitioner on 28.01.2020 is still pending and the petitioner is waiting to get amount of compensation on the basis of decision dated 27.01.2016 passed by this Court as well as in view of judgment dated 27.12.2017 passed by the learned Additional District Judge, Sangrur.

[9] In ***Rahul S. Shah Versus Jinendra Kumar Gandhi and others***, reported as ***(2021) 6 SCC 418***, the Hon'ble Supreme Court held as follows:-

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

[10] In view of aforementioned legal position, the Court of Additional District Judge, Sangrur (the Executing Court) is requested to decide / dispose off the aforesaid Execution Petition as expeditiously as possible, as per law, preferably within a period of six months from the date fixed in the same, i.e. 29.03.2025, as any further delay is going to cause serious prejudice to the rights of petitioner / landowner.

[11] Petition stands **disposed off** accordingly.

[12] It is made clear that nothing said hereinabove shall be construed as an expression of opinion on the merits of the execution proceedings.

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

February 28, 2025

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(HARKESH MANUJA)
JUDGE

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