



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

**Civil Revision No. 2535 of 2025 (O&M)
Date of Decision: 04.12.2025**

Naveen and others

..... Petitioners

Versus

State of Hayana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Piyush Aggarwal, Advocate
for the petitioners.

Ms. Komal Sharma, DAG, Haryana

Mr. Pritam Singh Saini, Advocate
for respondent No. 4-HSIIDC.

HARKESH MANUJA, J. (ORAL)

By way of present revision petition, challenge has been laid to an order dated 07.03.2025 (Annexure P-1) passed by the learned Additional District Judge, Jhajjar-cum-Executing Court, whereby the petitioners have been directed to move an appropriate application so as to implead other persons those who were already arrayed as private respondents before the learned Reference Court.

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

[3] A perusal of the Award dated 31.01.2014 (Annexure P-4) passed by the learned Additional District Judge, Jhajjar-cum-Reference Court shows that the Will propounded by the petitioners in favour of their

father-Sant Ram by the landowner-Smt. Champa Devi was proved on record and accordingly, the petitioners being the heirs of beneficiary-Sant Ram were held to be entitled for the release of amount of compensation. Relevant para-13 from the Reference Court's Award dated 31.01.2014 is extracted hereunder:-

“ 13. After hearing the rival arguments and appreciation of evidence on record, I am fully satisfied with the contention of Ld. Counsel for the petitioners that the WILL Ex. P-1 was duly executed by Champa Devi, widow of Birkha Ram in favour Sant Ram, father of petitioners/objectors. There is nothing on record to doubt the execution of the same. Accordingly, petitioners/objectors are entitled to get the share of compensation qua the share of Smt. Champa Devi (since deceased) being the testamentary legal heirs. Objectors/petitioners are also entitled to the compensation qua the subsequent acquisition of remaining suit land by Land Acquisition Collector and enhancement of compensation u/s 18 of Land Acquisition Act and the remaining share in land, if any. Petition u/s 30 of the Act is disposed of according, with direction to release the amount to the petitioners/objectors qua the share of Smt. Champa Devi against proper receipt, identification & as per rules, after the expiry of period of limitation.

14. File be consigned to the record room after due compliance.”

[4] Moreover, learned counsel for the petitioners has also submitted that the aforementioned award dated 31.01.2014 was never assailed by the private respondents before the learned Reference Court. In such circumstances, it was wholly uncalled on the part of the learned Executing Court to have called upon the petitioners to implead them as party in the Execution Application.

[5] Further, it may be noticed here that in a regular civil suit, wherein the above-mentioned Will dated 13.11.2000 was challenged, the validity of Will was upheld upto this Court.

[6] Consequently, the impugned order dated 07.03.2025 (Annexure P-1) passed by the learned Executing Court is hereby set aside. The Executing Court is requested to proceed further with the execution proceedings as per law.

[7] The present petition stands **disposed off**.

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

December 04, 2025

(HARKESH MANUJA)
JUDGE

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