



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

**Civil Revision No. 1477 of 2021 (O&M)
Date of Decision: 12.09.2025**

Hukam Singh (deceased) through LRs

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Som Nath Saini, Advocate for
Mr. Rajiv Kumar Saini, Advocate
for the petitioners-Decree Holders.

Ms. Komal Sharma, DAG, Haryana
for respondent Nos. 1 & 2.

Mr. Pawan Kumar Mutneja, Senior Advocate, assisted by
Mr. Viranjeet Singh Mahal, Advocate
for respondent No. 3.

HARKESH MANUJA, J. (ORAL)

The petitioners-Decree Holders, by way of present revision petition, seek setting aside of the orders dated 24.03.2015 & 02.07.2021 (Annexures P-3 & P-5 respectively) passed by the learned Additional District Judge, Panipat-cum-Executing Court, whereby the respondents-Judgment Debtors were directed to pay interest on the principal amount and further an application for reviewing the aforesaid order dated 24.03.2015, preferred at the instance of petitioners, was dismissed.

[2] Briefly stating, the dispute arises out of acquisition of certain land owned by the petitioners, situated within the revenue estate of Village

Bal Jattan, Sub-Tehsil Madlauda, District Panipat. An award under Section 11 of the Land Acquisition Act, 1894 (**for short “1894 Act”**) was passed by the Land Acquisition Collector on 04.12.2001 and in terms thereof, a sum of Rs.6,85,814.39 was payable to the petitioners-landowners. However, the said amount was released to them on 27.11.2012. For grant of recovery of interest on the delayed payment, the petitioners moved an application before the Reference Court which was disposed off vide order dated 24.03.2015 with the following directions:-

“ Accordingly, respondents/judgment-debtors are directed to pay interest on the principal amount of Rs.6,85,814.39 at the rate of 9% per annum for the period 4.12.2001 to 3.12.2002 and at the rate of 15% per annum for the period 4.12.2002 to 27.11.2012. It is ordered accordingly. The amount calculated at the rate as aforesaid on the principal amount of Rs.6,85,814.39 be paid by the respondents/judgment-debtors on or before 26.5.2015.”

[3] Thereafter, the review application preferred at the instance of petitioners in relation to the aforesaid order dated 24.03.2015, was dismissed vide order dated vide order dated 02.07.2021 passed by the learned Executing Court. In the meanwhile, the interest as directed by the learned Executing Court on the principal amount of Rs.6,85,814.39 was released in favour of the petitioners on 31.08.2018.

[4] Learned counsel for the petitioners agitates that once the learned Executing Court vide order dated 24.03.2015 directed the respondents to release the dues payable to the petitioners against interest portion on or before 26.05.2015, however, the same were done on 31.08.2018 and thus the respondents were liable to pay additional interest for

the period between 26.05.2015 to 31.08.2018. He thus prays for issuance of necessary directions in this regard to the respondents.

[5] On the other hand, learned counsel(s) for the respondents oppose the prayer made herein while submitting that any order directing the respondents to pay interest for the period between 26.05.2015 to 31.08.2018 on the amount payable to the petitioners, would be payment of interest on interest, and thus not permissible and accordingly, the present revision is liable to be dismissed.

[6] After hearing learned counsel for the parties and having gone through the paper-book, I find substance in the submission(s) made on behalf of the petitioners.

[7] In the facts and circumstances of the present case, pursuant to the acquisition of land, an Award under Section 11 of 1894 Act was passed by the LAC on 04.12.2001 and a sum of Rs.6,85,814.39 became payable to the petitioners, however, the same was released in their favour on 27.11.2012. In such circumstances, learned Executing Court, vide order dated 24.03.2015 directed the respondents to pay interest on the principal amount of Rs.6,85,814.39 @ 9% per annum for the period from 04.12.2001 to 03.12.2002 and at the rate of 15% per annum for the period of 04.12.2002 to 27.11.2012. It was also directed that the aforesaid amount be released on or before 26.05.2015. Admittedly, the amount calculated in pursuance to the order dated 24.03.2015 passed by the learned Executing Court was paid on 31.08.2018 and there was thus delay of more than three years in making the payment due towards the petitioners in terms of order dated 24.03.2015 which cause financial loss to the petitioners and undue enrichment to the

respondents.

[8] In such circumstances, the petitioners need to be suitably adjusted towards loss suffered by them against delayed disbursal. In the absence of there being any specific provision with respect to the payment of interest on the said calculated amount under the provisions of 1894 Act, in the humble opinion of this Court, drawing inference from Section 34 of 1894 Act, the respondents are directed to pay interest @ 9% per annum on the amount payable to the petitioners on 26.05.2015 in terms of order dated 24.03.2015 passed by the Executing Court till the date of its realisation i.e. 31.08.2018.

It may also be noticed here that the interest is awarded at the rate of 9% being the minimum rate of interest payable under the provision of LAC in favour of the landowner(s) so as to balance the equity.

[9] **Disposed off** accordingly.

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

September 12, 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>