

2025:PHHC:060644



382 **IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-3225-2024 (O&M)
Decided on:-07.05.2025

M/s Sterling Tools Ltd.

....Petitioner..

vs.

State of Haryana and others

...Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Bhim Singh, Advocate
 for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana.

HARKESH MANUJA J. (Oral)

1. Prayer in the present civil revision petition is for issuance of direction to the learned Executing Court to decide the execution application bearing CIS No. LAC EXE-88 of 2019, titled as “*M/s Sterling Tools Ltd. vs. The Land Acquisition Collector/DRO etc.*” in LA case No.163 of 2013 dated 26.11.2019, within a time bound manner period.

2. Admittedly, land measuring 26 kanals 16 marla (out of which, the petitioner was owner in possession of land measuring 2420 sq yds.) situated in the revenue estate of Village Mewla Maharajpur, Tehsil and District Faridabad, was acquired for the purpose, namely, for Metro Station and parking sites from Badarpur to YMCA Chowk, Faridabad, followed by an award dated 29.05.2013, whereby, the Land Acquisition Collector, Faridabad fixed the market value of the land at the rate of Rs.8000/- per sq yards; for industrial area Rs.16,000/- per sq yards; for commercial land and residential area Rs.12,000/-

per sq yards.

3. Feeling dissatisfied, the petitioner-landowner filed reference petition under Section 18 of the Land Acquisition Act, 1894 (for brevity, “1894 Act”) for enhancement of the compensation, which was allowed while enhancing the compensation amount to Rs.40,000/- per sq yards along with all statutory consequential benefits vide award dated 21.09.2019.

3.1 Thereafter, the petitioner-landowner filed execution application CIS No. LAC EXE-88 of 2019, titled as “*M/s Sterling Tools Ltd. vs. The Land Acquisition Collector/DRO etc.*” in LA case No.163 of 2013 dated 26.11.2019 before the Executing Court, Faridabad, which is pending for the last 04 years and 08 months, but till date the payment has not been released to the petitioner.

4. Learned counsel for the petitioner submits that the petitioner being aggrieved of the delay has filed the present revision petition for issuance of direction to the Executing Court concerned to decide the execution petition expeditiously, in a time bound manner.

5. On the other hand, learned counsel representing the respondents is not in a position to controvert the aforesaid facts.

6. I have heard the learned counsel for the parties and gone through the paper-book.

7. A perusal of record shows that execution petition (Annexure P- 2) filed by the petitioner on 26.11.2019, is still pending and the petitioner is waiting to get its full amount of compensation on the basis of decision dated 21.09.2019 passed by the Reference Court.

8. In “***Rahul S. Shah Vs. Jinendra Kumar Gandhi and others***” (2021) 6 SCC 418, the Hon’ble Supreme Court held as follow:-

“That the executing Court must dispose of execution proceeding within 6 months from the date of filing which may be extended only

by recording reasons in writing for such delay.”

9. In view of the aforementioned legal position, the Executing Court is requested to dispose of the execution petition CIS No. LAC EXE-88 of 2019, titled as “*M/s Sterling Tools Ltd. vs. The Land Acquisition Collector/DRO etc.*” in LA case No.163 of 2013 dated 26.11.2019 as expeditiously as possible on the date fixed i.e. 17.05.2025 or within two months thereafter, as any further delay may cause serious prejudice to the rights of the petitioner-land owner.

Even otherwise, execution petition is maintainable in terms of judgment passed by a Division Bench of this Court in **CWP-9593-2016**, titled as “***M/s Arjun Fininvest Limited vs. State of Haryana and others***”, decided on 12.07.2016.

10. It is made clear that nothing stated herein-above shall be construed as an expression of opinion on the merits of the execution proceedings.

11. Pending application, if any, stands disposed of.

07.05.2025
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/ No