



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Civil Revision No. 544 of 2023 (O&M)
Date of Decision: 16.10.2025

Sarabjit Kaur @ Saravjit Kaur

..... Petitioner

Versus

Union Territory, Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Harsh Manocha, Advocate
for the petitioner.

Ms. Madhu Dayal, Additional Standing Counsel, U.T., Chandigarh
for the respondent.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present revision petition, seeks setting aside of an order dated 24.09.2021 passed by the learned Additional District Judge, Chandigarh-cum-Executing Court, whereby her application being the successor / legal representative of the deceased-Gurpreet Singh, was dismissed.

[2] Briefly stating, one Bhupinder Singh initially married with Paramjit Kaur, from whom he had one son, namely, Gurpreet Singh. After the death of said Paramjit Kaur in the year 1993, Bhupinder Singh married with the petitioner-Sarabjit Kaur @ Saravjit Kaur in the year 1995 resulting into the birth one daughter and one son, namely, Jaspreet Kaur and Harshdeep Singh respectively. On 21.11.2005, notification under Section 4 of the Land Acquisition Act, 1894 (for short “the Act”) came to be issued pertaining to some land owned by Gurpreet Singh as well as Bhupinder

Singh. After passing of the award, the landowners sought reference under Section 18 of the Act, which came to be partly accepted. The amount was further enhanced by the Reference Court as well as by this Court.

[3] The dispute relates to the disbursement of the enhanced portion of compensation payable to Gurpreet Singh, who died in the year 2012. After the death of Gurpreet Singh, his father Bhupinder Singh was impleaded as his legal representative having succeeded his estate. However, in the year 2015, Bhupinder Singh unfortunately died and an application came to be filed on behalf of the petitioner for being impleaded as her successor being the legally married wife. The said application has been declined by the learned Executing Court with the following observations in para-5:-

“ 5. This applicant Sarabjit Kaur deposed as AWI and reiterated the version of her application (summarized in para 2 above) and with it she also brought on file copy of death certificate of Gurpreet Singh as AW1 and copy of death certificate of Bhupinder Singh as Ex.A2. Her cross-examination is suggestive only. With her AW2 Daljit Singh Lambardar also stepped into the witness box who supported the version of applicant that she is second wife of Bhupinder Singh and she only is the legal heir of Gurpreet Singh, This AW2 brought on file a copy of his identity card as Ex.A3. None of these documents shows that applicant is or ever was married to Bhupinder Singh what to say of that the date of alleged marriage could be disclosed on file in any of these documents. There is no proof of marriage and there is no assertion in the application itself reflecting as to when applicant entered into alleged nuptial bond with Bhupinder Singh. She did not even prove her Aadhar card in this regard. One photocopy of said Aadhar card is on file which though has remained unexhibited. Otherwise also this Aadhar card does not disclose the date of its issuance. The date of death of first wife of

Bhupinder Singh also has been concealed from the court. The outcome is that applicant has failed to even prima-facie show on file that she had performed marriage with Bhupinder Singh. Consequently, I do not find if she can be termed as second mother of Gurpreet Singh. For this reason, she is not found entitled to receive the involved deposited amount of Gurpreet Singh. This application is dismissed. Summoned record be sent back for consignment. File be consigned to record room to be attached with abovesaid main file.”

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

[5] Admittedly, the petitioner, namely Sarabjit Kaur @ Saravjit Kaur was released the benefit of compensation against the acquisition of land owned by Bhupinder Singh. Upon perusal of the documents annexed with the petition viz. (i) Birth Certificate of son-Harshdeep Singh (Annexure P-3); (ii) Birth Certificate of daughter-Jaspreet Kaur (Annexure P-4); (iii) Bank Passbook of Bhupinder Singh (Annexure P-9); and (iv) Bank Passbook of the petitioner (Annexure P-10), the petitioner- Sarabjit Kaur @ Saravjit Kaur has been recorded to be the wife of Bhupinder Singh, who was the father of Gurpreet Singh. The aforesaid documents have gone unrebutted. In such circumstances, for the purposes of execution proceedings, the petitioner evidently succeeds the estate of deceased-Gurpreet Singh. Thus, in the considered opinion of this Court, the petitioner is held entitled receipt of the amount of compensation having fallen to the share of deceased-Gurpreet Singh on account of acquisition of his land.

[6] It may be noticed here that though, Gurpreet Singh died in the year 2012 followed by the death of Bhupinder Singh in the year 2015,

however, even for the last ten years, no one else has come forward to claim any right in the amount of compensation.

[7] In the light of above discussion, the present petition is **allowed** while setting aside the impugned order dated 24.09.2021 passed by the learned Additional District Judge, Chandigarh. Also, the petitioner shall furnish indemnity bond before the Land Acquisition Collector against the aforesaid amount of compensation.

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

October 16, 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>