

2025:PHHC:178889



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

**CWP-24745-2025 (O&M)
Decided on:-23.12.2025**

Shiv Kumar and another

....Petitioners..

VS.

State of Haryana and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Aman Sharma, Advocate,
for the petitioners.

Ms. Komal Sharma, DAG, Haryana.

Mr. H.S. Gill, Advocate,
for respondent No.2(thr. V.C.).

Mr.Nitin Gupta, Advocate assisted by
Mr. Sudeep, ADA, E.O-II, Gurugram.

HARKESH MANUJA J. (Oral)

CM-18686-CWP-2025

Application for preponing the date of hearing in the main
petition is dismissed as having been rendered infructuous.

Main case

1. By way of present writ petition, the following prayer has been
made:-

*“Issue writ in the nature of mandamus directing the
respondents to release the entire amount of compensation in lieu
of the acquisition of plot and structure (House) of the petitioners
acquired in pursuance of Notification U/s 4 (Annexure P-1) dated
30.01.1989 and Notification U/s 6 (Annexure P-2) dated*

25.01.1990 and be directed to make the payment of the enhanced compensation alongwith all monetary and statutory benefits/ consequential benefits and to make the payment of amount @ 24% till its actual realization thereof; It is further prayed that the respondents be restrained from taking forcible possession until and unless entire compensation alongwith all consequential benefits as mentioned hereinabove is actually realized, in the interest of justice.”

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

3. The acquisition in the present case commenced vide notification dated 30.01.1989, issued under Section 4 of the Land Acquisition Act, 1894 (for short, “1894 Act”), followed by notification dated 25.01.1990, issued under Section 6 thereof. Award under Section 11 was passed on 22.01.1992. A supplementary award was later passed by the Land Acquisition Collector on 21.02.2013, vide which, a sum of Rs.3,34,664/- was assessed in favour of the petitioners as regards the construction existing over the site in question. As per the record, the aforesaid amount was released in favour of the petitioner on 22.02.2013. Aggrieved of the said assessment, the petitioners sought reference under Section 18, which was decided on 09.08.2018 and the value of the structure was enhanced to Rs.5,00,000/- from Rs.3,34,664/- with an increase of Rs.1,65,336/-.

4. Learned counsel for the respondents submits that as on today, the petitioners have been released a sum of Rs.13,64,020/- in total and even their execution application stands disposed of vide order dated 08.09.2025 passed by the Court of learned Additional District Judge, Gurugram. The order dated 08.09.2025 passed by learned Additional District Judge,

Gurugram is reproduced hereunder:-

“EXE-03-2024

HRGR01-000021-2024

Shiv Kumar Vs. State of Haryana

*Present: Sh. Chirag, Advocate for the award-holder
Sh.J.S. Jangra, GP for JDs No.1 and 2.
Sh. Jai Bakshi, Advocate for JD No.3.*

Learned GP, on instructions from Shri Jai Bakshi Advocate representing JD-HSVP, submitted that total amount of Rs.13,64020/- (excluding TDS amount) has already been disbursed in favour of award-holder and accordingly submitted that interim order passed by this Court, restraining the JDs from demolishing the super super structure and/or taking possession, be vacated, so as to enable the respondents/acquiring authority to proceed ahead as per law.

There is no dispute about payment of the afore-stated amount. Accordingly, present execution petition stands disposed of while reserving liberty in favour of the award-holder to move fresh execution petition in case the disbursed amount is found to be deficient in any manner and also reserving liberty in favour of the award-holder/DH to avail any appropriate legal remedy, so as to raise his grievance qua the land acquired by the State authority. File be consigned to the record room.

Date of order:-08.09.2025

*Jagdeep Singh
ADJ/Gurugram
UID No.HR0125”*

5. In view of the aforesaid facts and circumstances, at this stage, no cause survives in favour of the petitioners. If at all, some amount remains to be paid to the petitioners in terms of assessment made by the learned Reference Court vide its award dated 09.08.2018, the petitioners shall always be at liberty to avail their remedies in the form of filing of fresh execution application alongwith up-to date calculations.

6. Accordingly, the present petition stands disposed of.
7. Pending applications, if any, also stand disposed of.

23.12.2025

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Whether speaking/reasoned:
Whether reportable:

(HARKESH MANUJA)

JUDGE

Yes/No
Yes/ No