



CR No.6807 of 2023 (O&M)

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

138

CR No.6807 of 2023 (O&M)
Date of Decision: 27.10.2025

**HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE DEVELOPMENT
CORPORATION LTD.Petitioner**

Vs

**M/S MARTIN AND HARRIS LABORATORIES
LTD. AND OTHERSRespondents**

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Pritam Singh Saini, Advocate with
Ms. Parul Saini, Advocate
for the petitioner.

Mr. H.L. Tikku, Sr. Advocate with
Ms. Yashwant, Advocate and
Mr. Manav Bajaj, Advocate
for respondent No.1.

HARKESH MANUJA, J. (Oral)

[1]. The present revision petition has been preferred against the order dated 12.07.2023 passed by the learned Executing Court-cum-Addl. District Judge, Gurugram. Relevant paragraph No.3 from the aforesaid order is extracted hereunder:-

“3. Heard. Perusal of the case file indicates that present execution petition is filed pursuant to the award dated 10.202014 passed by Shri S. K. Khanduja, the then ld. ADJ, Gurugram in LAC case no. 202 /2010 vide which ld. ADJ granted compensation of Rs.3,41,13,000/- for super structure existed on the acquired land alongwith all statutory benefits. The said order attained finality as CWP preferred by DH was dismissed on 7.3.2011. Once the LAC court has already granted all statutory benefits, which includes awarding of interest @ 12% from the date of notification u/s. 4 of the Act, the JD cannot take shelter behind the misconceived contentions that the market value was assessed on the basis of the report dated 9.11.2010 while



LAC passed the award no. 6 on 9.3.2010. As per settled proposition of law, the executing court cannot go behind the decree. The said contentions, from no stretch of imagination, are tenable. In case, the JD had any grievance, they should have file appeal against the award dated 10.2.2014 in which, JD miserably failed. Thus, DH are entitled for interest from the date of notification u/s. 4 of the Act. Even allegedly they have not granted interest @ 12% and have wrongly deducted period of stay and also committed error in calculating days w.e.f. 10.3.2011 to 28.7.2017. The JD is directed to do the needful as per law and are directed to file revised form-D. Objections filed by the JD are accordingly dismissed. Now the case is adjourned to 23.8.2023 for filing revised form-D.”

- [2]. Having heard learned counsel for the parties and gone through the records, the aforementioned order dated 12.07.2023 passed by the learned Executing Court is modified to the extent that interest @ 12% in terms of Section 23(1)(A) of the Land Acquisition Act, 1894 shall be payable on the amount of market value of land (including the super structure) but shall not be payable on the component of solatium.
- [3]. With the aforesaid modification, the present revision petition is disposed of.
- [4]. Pending application(s), if any shall also stand disposed of.

October 27, 2025
Atik

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

MOHMED ATIK
2025.10.29 11:16
I attest to the accuracy and
authenticity of this
order/judgment