

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CR-2846-2018****Date of Decision: April 21, 2026****RATTAN SINGH (DECEASED) THR LRS**

.....Petitioner

Versus

STATE OF HARYANA AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rohan Moudgil, Advocate for
Mr. Sandeep Sharma, Advocate for the petitioner.

Mr. Abhinav Kalia, DAG, Haryana.

Mr. H.S. Gill, Advocate and
Mr. Parminder Sandhu, Advocate for respondent No.3.

HARKESH MANUJA, J. (ORAL)

By way of present revision petition filed under Article 227 of the Constitution of India, modification has been sought in order dated 11.04.2017 passed by the Court of learned Additional District Judge, Gurugram-cum-Executing Court.

[2]. Briefly stating, certain land owned by the petitioner(s) was acquired vide award dated 21.12.2013 for public purpose namely, "construction of sector roads in Urban Estate, Gurugram," whereby compensation was assessed @ Rs. 60 lakhs per acre. The petitioner(s), owing lack of awareness and being small landowners, did not seek enhancement of compensation by filing a reference under Section 18 of the Land Acquisition Act, 1894.

[3]. However, similarly situated co-sharers pursued reference proceedings, which culminated in enhancement of compensation by the learned Additional District Judge, Gurugram, and further enhancement by this Court in RFA No. 5567 of 2014 decided on 27.05.2016, whereby compensation was determined at Rs. 16,89,35,120/- per acre. The petitioner(s) had earlier filed an execution petition on the basis of the award in favour of a co-sharer, which was allowed vide order dated 11.04.2017.

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

[5] The short grievance of the petitioner(s) is that the impugned order dated 11.04.2017 passed by the learned Executing Court warrants modification to the extent that the petitioner(s) be held entitled to enhanced rate of compensation, as determined by this Court in RFA No.5567-2014, along with statutory benefits, on parity with similarly situated landowners.

[6] The aforesaid legal issue already stands decided by the Hon'ble Apex Court vide decision dated 13.01.2026 passed in **Civil Appeal No(s).391 - 398 of 2026 (@SLP (C) No(S).4532-4539 of 2023)**, titled **"Ramphal &Ors. Versus Haryana State Industrial And Infrastructure Development Corporation Limited &Ors"**, wherein the Hon'ble Supreme Court has been pleased to uphold the claims made by the co-sharers with regard to entitlement of similar amount of compensation as granted in favour of their co-owners in the acquired land, however, restricted the award of interest. Relevant paras 11 to 14 from the aforesaid decision dated 13.01.2026 are extracted hereunder:-

"11. In fact, we have been informed at the Bar by the learned counsel appearing for the appellants, which is not seriously disputed by the learned senior counsel appearing for the respondents, the fact that the land which was acquired, has been utilized for the purposes of formation of industrial sites and allotted to the needy persons in accordance with the Rules then prevalent. In other words, the acquiring body is also benefited to certain extent, which is an instrumentality of the State. Thus, the scales have to be balanced in this scenario.

12. We are of the considered view that apart from the compensation, the appellants would be entitled to the interest for a period of five years to be reckoned from today backwards and we make it explicitly clear that the appellants are not entitled for any interest for any other period. We would also hasten to add that the appellants would be entitled to all other consequential benefits which flow from award of compensation and the respondent(s) authorities shall compute the compensation as has been determined by the award passed under Section 18 of the Act and/or modified by the High Court or this Court in exercise of appellate jurisdiction.

13. The said determination shall be made by the authorities expeditiously and at any rate within an outer limit of three months from the date of this order and the amounts so determined shall be disbursed

within an outer limit of three months for such determination with interest as specified therein.

14. In the event of time line which has been fixed by this Court is not adhered to by the respondent(s) authorities, they shall be liable to pay interest @ nine per cent (9%) on the amounts so determined from the date of such determination.”

[5] In view of the aforesaid decision rendered by the Hon’ble Supreme Court, the present petition is disposed of with liberty to petitioners to approach learned Executing Court who shall establish themselves be co-sharer in the acquired land.

The learned Executing Court is requested to decide the execution application afresh in view of the decision rendered by the Hon’ble Supreme Court in **Ramphal’s case (supra)**. The necessary amount as finally determined along with statutory benefits and interest thereupon be released in their favour within the time period stipulated.

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

21.04.2026
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>