



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

**Civil Revision No. 4000 of 2018 (O&M)  
Date of Decision: 22.01.2026**

Hari Parkash and others

..... Petitioners

**Versus**

State of Haryana and another

..... Respondents

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

Present: Mr. Shoaib Khan, Advocate  
for the petitioners.

Ms. Komal Sharma, Deputy Advocate General, Haryana  
for respondent No. 1.

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**HARKESH MANUJA, J. (ORAL)**

The petitioners/co-sharers, by way of present petition, seek modification of the judgment dated 07.03.2018 passed by the learned Additional District Judge, Yamuna Nagar at Jagadhri in Execution No. 387 of 2013/17, titled “*Hari Parkash and others Versus State of Haryana*” vide which their application for execution of decree under Order 21 Rule 11 of the Code of Civil Procedure, 1908, was partly allowed.

**[2]** Briefly stating, some land owned by the petitioners forming part of the revenue estate of Village Gobindpura, H.B. No. 407, Tehsil Jagadhri, District Yamuna Nagar, came to be acquired vide notification dated 20.08.1980 issued under Section 4 of the Land Acquisition Act, 1894 (for short “the Act”); followed by an Award dated 14.09.1986,

whereby the market value of the land was assessed at the rate of Rs. 30,000/- per acre besides other statutory benefits. Being aggrieved, some of the other landowners pertaining to the same acquisition sought reference(s) under Section 18 of the Act, wherein the learned Reference Court enhanced the market value to Rs. 96,000/- per acre in terms of its adjudication dated 12.04.1989. The said determination at the rate of Rs. 96,000/- per acre was upheld by this Court vide decision dated 16.10.2008 passed by this Court in ***RFA-2666-1989***, case titled ***“Daya Ram Versus State of Hayana”***. In the meanwhile, the petitioners-landowners while claiming themselves to be co-sharers in the joint khewat alongwith other landowners whose land was acquired vide same notification filed an execution petition for release of compensation in terms of Reference Court’s Award dated 12.04.1989, as affirmed by this Court in ***Daya Ram’s case (supra)***. The aforesaid execution application came to be disposed off by the learned Executing Court vide impugned order dated 07.03.2018. The relevant para-25 thereof is extracted hereunder:-

“ 25. In view of the discussion under issues no. 1 & 2, this execution petition is partly allowed. The petitioners are entitled to claim compensation @ Rs. 96,000/- per acre, regarding their respective shares of land, which was acquired, as per award dated 12.4.1989 of the then reference court, which was passed regarding other co-sharers i.e. Tara Chand etc. and which has been affirmed by Hon’ble High Court vide order dated 16.10.2008 in the appeal filed by Tara Chand etc. The petitioners would be entitled to benefits of Section 23 (1-A) and Section 23 (2) of the Act from the date of award of Collector, till the date of order dated 12.4.1989 of the reference court only. Memo of costs be prepared. File be consigned to record room.”

[3] The short grievance raised on behalf of the petitioners-landowner is that even the Executing Court while passing the impugned order went wrong by restricting the benefits payable to the petitioners in terms of Section 23 (1-A) and 23 (2) of the Act from the date of award of the Collector, till the date of order dated 12.04.1989 passed by the learned Reference Court in other cases. He further submits that the said benefit was required to be awarded from the date of publication of notification under Section 4 of the Act in the case at hand i.e. 20.08.1980, till the date of passing of award, i.e. 14.09.1986 and thus, claims that the impugned award needs to be modified.

[4] On the other hand, learned State Counsel opposes the prayer / submission(s) made on behalf of the petitioners while submitting that the impugned order passed by the learned Executing Court was based on proper appreciation of the material available on record and thus, calls for no interference.

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

[6] The observations made by the learned Executing Court while holding the petitioners entitled to the benefits under Section 23 (1-A) and 23 (2) of the Act from the date of award of the Collector, till the date of Reference Court's Award dated 12.04.1989 are in contradiction with the statutory mandate laid down under Section 23 (1-A) as well as Section 23 (2) of the Act. As per the said provisions, the benefits payable from the date of publication of notification under Section 4 (1) of the Act

till the date of award passed by the Collector or the date of taking possession of the acquired land. Further, in terms of Section 23(2) of the Act, the petitioners in addition to the market value of the acquired land, are entitled to solatium at the rate of 30% on such market value on account of the compulsory nature of acquisition.

[7] Moreover, the petitioners are entitled for award of interest in view of the exposition of law laid by the Hon'ble Supreme Court in SLP (C) No(s).4532-4539 of 2023, case titled ***“Ramphal and others Versus Haryana State Industrial and Infrastructure Development Corporation Ltd. & Ors.”***. For reference, relevant para-12 thereof is extracted hereunder:-

*“ 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.”*

[8] Accordingly, the impugned decision dated 07.03.2018 passed by the leaned Executing Court is modified to the aforesaid extent with regard to grant of benefits in terms of Sections 23 (1-A) & 23 (2) of the Act and further award of interest in terms of ***Ramphal's case (supra)***.

[9] **Disposed off** accordingly.

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

**January 22, 2026**  
*'dk kamra'*

**( HARKESH MANUJA )**  
**JUDGE**

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|----------------------------------|---------------|
| <i>Whether Speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |