



340

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CR-1410-2024****Date of Decision: March 19, 2026****HARYANA SHEHRI VIKAS PRADHIKARAN THROUGH ITS
ADMINISTRATOR AT GURUGRAM**

.....Petitioner

Versus

KAMAL KISHORE AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Shivendra Swaroop, Advocate and
Mr. Siddhanth Arora, Advocate for the petitioner.

HARKESH MANUJA, J. (ORAL)

[1]. By way of present revision petition filed under Article 227 of the Constitution of India, challenge has been laid to the order dated 15.10.2015 passed by the learned Additional District Judge, Gurugram-cum-Executing Court, whereby respondent Nos.1 to 9/landowners being co-sharers in the acquired land, were found entitled to the grant of similar benefits of enhanced compensation of Rs.1,06,48,000/- per acre along with all statutory benefits under the relevant provisions of the Act.

[2]. Being aggrieved thereof, the petitioner preferred the present revision petition.

[3]. Learned counsel for the petitioner submits that once the private respondents/landowners did not choose to prefer reference under Section 18 or 28-A of the Land Acquisition Act, 1894, they could not have been awarded the benefit of enhanced market value determined in favour of other co-sharers for the acquired land merely by preferring an execution application.

[4]. I have heard learned counsel for the parties and perused the paper book.

[5]. 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 Apex 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.”

[6]. In view of the aforesaid decision rendered by the Hon’ble Apex Court, the present petition being devoid of merits is hereby dismissed.

[7]. The learned Executing Court is requested to expedite the release of compensation amount in favour of respondent Nos.1 to 9-landowners while keeping in view the specific and categoric directions issued in **Ramphal’s case** (supra), especially when it has not been disputed by the petitioner(s) that respondent Nos.1 to 9-landowners happened to be the co-sharers of the applicant(s) who preferred references under Section 18 of the Land Acquisition Act, 1894 and enhancement was ordered in their favour. Respondent Nos.1 to 9-landowners shall also be entitled to the award of market value which was finally determined with respect to the related acquisition.

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

19.03.2026

Tejwinder

(HARKESH MANUJA)

JUDGE

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