

2026:PHHC:015947



130 (6 cases)

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

**Civil Revision No. 1885 of 2019 (O&M)  
and “05” connected cases  
Date of Decision: 03.02.2026**

Union of India through Defence Estate Officer

..... Petitioner

**Versus**

Bhiro and another

..... Respondents

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

Present: Mr. Anil Chawla, Advocate  
for the petitioner(s).

Mr. Kripal Singh, Advocate for  
Mr. R.S. Chauhan, Advocate, for respondent No. 1  
(in CR Nos. 1885, 2158 & 3099 of 2019)

Mr. Athar Ahmad, DAG, Punjab

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

This order shall dispose off the present six revision petitions bearing CR Nos. 1885, 2158, 3099, 2770, 3236 & 3253 of 2019, as the same arise out of a common issue. For the sake of convenience, the facts are being culled out from CR No.1885 of 2019.

[2] By way of present revision petition, challenge has been laid to an order dated 07.07.2018 passed by the Court of learned Additional District Judge, Amritsar-cum-Executing Court, whereby the objections preferred at the instance of petitioner(s) to the execution application(s) filed on behalf of the respondent(s)-landowner(s) was/were dismissed.

[3] Learned counsel for the petitioner(s)-Union of India submits that the respondent(s)-landowner(s) having not preferred any petition under

Section 18 or 28-A of the Land Acquisition Act, 1894 (**for short “the Act”**), were not entitled to prefer execution application and thus, the same was liable to be dismissed. Learned counsel for the petitioner further submits that the execution application preferred at the instance of respondent(s)-landowners was even barred by limitation.

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

[5] No merit can be found in the submission made on behalf of the petitioner to the effect that the respondent(s)-landowner(s) were not entitled to prefer execution applications, especially in view of the exposition of law 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”***, upholding the claims made by the co-sharers so as to claim parity with respect to the award of compensation, 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 6 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] It may also be noticed here that the respondent(s)-landowner(s) were co-sharers with the other landowners whose land was acquired under the same acquisition proceedings and who had even preferred reference under Section 18 of the Act, followed by filing of Regular First Appeals.

[7] Moreover, upon perusal of the record, no merit can be found with the submission made by the learned counsel appearing on behalf of the petitioner(s) that the execution application preferred at the instance of respondent(s)-landowners was barred by limitation. In the present case, the previous execution petition, preferred at the instance of respondent(s)-

landowner(s) was adjourned *sine die* by the learned Executing Court vide its order dated 14.12.1993 on account of pendency of Civil Revision No. 1110 of 1993 wherein the proceedings before the Executing Court were ordered to remain stayed. However, the interim order granted by this Court was vacated with the dismissal of the aforementioned civil revision, for want of prosecution on 26.05.2008 and in such circumstances, it was the duty of the learned Executing Court to have revived the execution on its own rather than making the respondent(s)-landowner(s) to move an application for such purpose. Once, the interim order passed by this Court was vacated on 26.05.2008, the learned Executing Court ought to have served the respondent(s)-landowner(s) with notice regarding revival of execution application so as to allow them to continue with the proceedings.

In such circumstances, any application / execution application preferred at the instance of respondent(s)-landowner(s) on 07.04.2017 cannot, by any stretch of imagination, be said to be barred by limitation.

[8] Furthermore, the petitioner has not been able to point out the date of adjudication in the Letters Patent Appeals (filed by Union of India) or even the Special Leave Petition(s) in reference to the determination dated 16.05.1983 made in the Regular First Appeals (filed by both the parties); as such the arguments raised on behalf of the petitioner about the execution application of respondent(s)-landowner(s) being barred by limitation was wholly meritless and liable to be rejected.

[9] Ordered accordingly.

[10] In view of the discussion made hereinabove, the present petitions being devoid of merits are hereby **dismissed**.

[11]           The learned Executing Court is directed to expedite the release of compensation amount in favour of respondent(s)-landowner(s) 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 the respondent(s)-landowner(s) happened to be the co-sharers of the applicant(s) those who preferred reference under Section 18 of the Land Acquisition Act, 1894 and enhancement was ordered in their favour. The respondent(s)-landowner(s) shall also be entitled to the award of market value which was finally determined with respect to the related acquisition alongwith all other statutory benefits and interests.

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

**February 03, 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> |