

2026:PHHC:048474



225-u **IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-2770-2026 (O&M)
Decided on:-27.03.2026

Sumer Chand (deceased) thr. his LRS and othersPetitioners.

vs.

State of Haryana and othersRespondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Neha, Advocate for
Mr. Sanjay Verma, Advocate,
for the petitioners.

HARKESH MANUJA J. (Oral)

1. By way of present revision petition, challenge has been laid to an order dated 27.05.2025 (Annexure P-1) passed by the Court of learned Additional District Judge, Gurugram-cum-Executing Court, whereby the execution petition preferred at the instance of petitioners, seeking directions to the respondents for making the payment of compensation of the acquired land on the same terms as awarded in the matter of other co-sharers, was dismissed.

2. Notice of motion.

3. Mr. Abhinav Kalia, DAG, Haryana accepts notice on behalf of respondents No.1 and 2, whereas, Mr. H.S. Gill, Advocate, accepts notice on behalf of respondent No.3.

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

5. A perusal of the impugned order shows that the execution petition preferred at the instance of petitioners-landowners was dismissed merely on the ground that they did not choose to prefer any objection/reference under Section 18 of the Land Acquisition Act, 1894 (for short “the Act”), yet filed an execution application based on an award/determination made in favour of their co-sharers in the acquired land.

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.”*

7. In view of the aforesaid decision rendered by the Hon’ble Supreme Court, the present petition is allowed and the impugned order is set aside. The matter is remitted back to the learned Executing Court concerned for fresh adjudication and in case the petitioners are found to be co-sharer in the acquired land parcels alongwith those who preferred reference under Section 18 or 28-A of the Act, the necessary amount as finally determined alongwith statutory benefits and interest thereupon be released in their favour within the time period stipulated in ***Ramphal’s*** case (supra).

8. Needless to say that the determination of compensation and release thereof in favour of the petitioners be made in terms of decision rendered by the Hon’ble Supreme Court in ***Ramphal’s*** case (supra).

9. Pending miscellaneous application(s), if any, shall also stand disposed of.

27.03.2026

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No