

2026:PHHC:058921



223-Urgent

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

**Civil Revision No. 3334 of 2026 (O&M)
Date of Decision: 20.04.2026**

Haryana Shehri Vikas Pradhikaran
(mentioned as Haryana Urban Development Authority)
through its Administrator, Sector-12, Faridabad

..... Petitioner

Versus

Dhan Singh (now deceased) through LR's and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Shivendra Swaroop, Advocate
Mr. Yaseen Sethi, Advocate and
Mr. Siddhanth Arora, Advocate
for the petitioner-HSVP.

HARKESH MANUJA, J. (ORAL)

CM-8075-CII-2026

For the reasons stated in the application, the same is **allowed**
subject to all just exceptions and the applicant-petitioner / HSVP through its
Administrator is permitted to file the present revision petition

MAIN CASE

By way of present revision petition, challenge has been laid to
an order dated 03.10.2025 passed by the Court of learned Additional District
Judge, Palwal, whereby respondent No.1 through LR's, who was arrayed as
proforma respondent in ***SLP (C) No. 28722 of 2016***, titled "***Smt.
Chanderwati & Ors. Versus State of Haryana & Ors.***", has been directed to
be released the benefit of enhanced compensation.

[2] In the present case, some land owned by respondent No.1 forming part of revenue estate of village Palwal, Tehsil & District Palwal, came to be acquired vide notifications dated 15.06.2006 and 14.06.2007, issued under Sections 4 and 6 respectively of the Land Acquisition Act, 1894 (**hereinafter referred to as “1894 Act”**); followed by Award No. 7 dated 09.06.2009 passed by the Land Acquisition Collector (**for short, “LAC”**), granting the market value at the rate of Rs.16,00,000/- per acre. The acquisition was carried out for the public purpose, namely, for development and utilization of land for Sector-12, Palwal under the Haryana Urban Development Authority.

[3] Aggrieved of the determination made by LAC, respondent No.1 alongwith other landowners filed their objections under Section 18 of the 1894 Act. Vide award dated 16.03.2013, the learned Reference Court re-assessed the market value of the acquired land to Rs. 24,48,396/- per acre, i.e. Rs. 505.87 per square yard. Aggrieved against the same, respondent No.1 alongwith other landowners filed ***RFA No. 3383 of 2014***, titled ***“Smt. Chanderwati and others Versus State of Haryana and others”***, which came to be dismissed vide order dated 10.12.2025 passed by this Court. Aggrieved therefrom, respondent No. 1 did not file SLP, but the other appellants in RFA No. 3383 of 2014, filed SLP (C) No. 28722 of 2016 before the Hon’ble Supreme Court. In the said SLP, respondent No. 1 was impleaded as proforma respondent and the same was decided by the Hon’ble Supreme Court vide order dated 04.01.2024 and the market value was enhanced to Rs.640/- per square yard. Based thereupon, respondent No. 1 filed execution application, which came to be allowed by the learned Executing Court while

directing the petitioner to release the benefit of enhanced compensation to the tune of Rs.640/- per square yard as well as other statutory benefits in favour of respondent No. 1 vide order dated 03.10.2025. It is the said order which has been impugned by way of present revision petition.

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

[5] In terms of Order XLI Rule 4 of the Code of Civil Procedure, 1908, once respondent No.1 was impleaded as proforma respondent in the SLP (C) No. 28722 of 2016, the decision passed therein with respect to the enhanced compensation also applied to them. As such, he was well within his rights to file the execution application(s) seeking the benefit of the enhanced compensation. Reference in this regard may be made to the order dated 01.12.2022 passed by this Court in RFA No. 832 of 2022. The relevant part of the said order is extracted hereinafter:-

" Sh. Dalel Singh, Sh. Subhash, Sh. Ramesh Kumar and Sh. Bijender Singh who are the sons of Sh. Lal Chand were joint owners of the property which was acquired by the State of Haryana. All the brothers noted above filed a joint application to the Collector under Section 18 of the Land Acquisition Act, 1894, with a request to refer the matter to the Court. On being referred, the Reference Court vide LAC Case No.937 of 2010, decided on 30.10.2015, passed a common judgment deciding the joint claim of all the brothers Sh. Subhash, Sh. Ramesh Kumar and Sh. Bijender Singh filed an appeal while Sh. Dalel Singh (appellant) was impleaded as proforma respondent as he was not available for signing the required documents. The appeal filed by the aforesaid three brothers was allowed. This appeal has been filed by Sh. Dalel Singh claiming the same amount of compensation. In fact, the case of the appellant already stands decided along with his

remaining three brothers. Once a joint reference petition was filed by all the four brothers, which was decided by the Reference Court by a common judgment, then, the appeal, even if filed by only three brothers, shall enure to the benefit of the appellant. There was a joint decree in favour of four brothers. It is not the case of the appellant that while filing the appeal by his brothers, the rights of appellant were relinquished or surrendered.

In such a situation, in terms of Order XLI Rule 4 of the Code of Civil Procedure, 1908, the appellant shall be deemed to be entitled to the same amount as payable to the remaining three brothers in terms of judgment passed in Regular First Appeal No.458 of 2016, titled as "M/s Satkarta Realtors (P) Ltd. Vs. State of Haryana and others".

[6] In the light of what has been discussed herein above, this Court does not find any merit in the instant revision petition, as such, the same stands **dismissed**. Resultantly, the impugned order dated 03.10.2025 passed by the learned Additional District Judge, Palwal, is hereby upheld. The learned Executing Court is requested to proceed further in accordance with law towards release of the enhanced compensation in favour of respondent No.1 in terms of decision dated 04.01.2024 passed in SLP (C) No. 28722 of 2016.

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

April 20, 2026
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No