2026:PHHC:070146

137

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No. 1399 of 2021 (O&M)
Date of Decision: 05.05.2026

State of Punjab through the Land Acquisition
Collector, Industries Department, Punjab

..... Petitioner

Versus

Jasbir Singh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Ekta Thakur, Advocatd with
Ms. Kulwinder Kaur, Advocate and
Ms. Kajal, Advocate, for the petitioner.

Mr. Naresh Kaushal, Advocate with
Mr. Nitish Kaushal, Advocate
for respondent No. 1.

None for respondent No. 2.

****

HARKESH MANUJA, J. (ORAL)

CM-14287-CII-2021

Application for placing on record the reply to the application for condonation of delay moved on behalf of the applicant-respondent No. 1 is **allowed**, subject to all just exceptions.

Registry to do the needful.

CM-6164-CII-2021

Prayer in the present application moved on behalf of the applicant-petitioner/State of Punjab is for condonation of delay of 199 days in filing the instant revision petition.

DINESH KUMAR
2026.05.07 18:16
I attest to the accuracy and
integrity of this document

Learned counsel for respondent No. 1 opposes the prayer made in the application.

Having heard learned counsel for the parties and gone through the contents of the application duly supported by an affidavit, sufficient cause has been made out to condone the delay in filing the revision petition; thus, the same is **allowed** and delay of 199 days in filing the instant revision petition is condoned.

MAIN CASE

By way of present revision petition, challenge has been laid to an order dated 01.10.2019 passed by the Court of learned Additional District Judge, SAS Nagar-cum-Executing Court.

[2] In the present case, land owned by the respondents forming part of the revenue estate of Village Sohana came to be acquired for industrial purpose vide notification dated 11.11.1993 issued under Section 4 of the Land Acquisition Act, 1894 **(for short "1894 Act")**; followed by Award No. 1 dated 16.06.1994 passed by the Land Acquisition Collector **(for brevity "LAC')**. Being aggrieved of the determination made by the LAC, the respondents-landowners filed objections under Section 18 of the 1894 Act which were decided by the learned Reference Court on 18.08.2004. Relevant para-18 thereof is extracted hereunder:-

> *" **RELIEF***
>
> ***18.*** *In the light of above discussion, this land reference is answered in favour of the claimants and it is held that claimants are entitled to Rs. 14,000/- as enhanced compensation regarding trees in question and Rs. 8,000/- as enhanced compensation regarding pipeline in question. The claimants are also entitled to get statutory benefits under Sections 23(1-A), 23(2) and 28 of the Act. Counsel's fee is*

DINESH KUMAR
2026.05.07 18:16
I attest to the accuracy and
integrity of this document

assessed at Rs. 1,000/-. Memo of costs be prepared."

[3] Still aggrieved, the respondents-landowners preferred RFA No. 2381 of 2004 which came to be decided on 03.02.2014, whereby the market value with respect to the fruit bearing trees was assessed to the tune of Rs. 1,50,000/- whereas the compensation against the value of pipeline in question was determined to the tune of Rs. 90,000/-. Based thereupon, the respondents-landowners filed execution application wherein objection was raised at the instance of petitioner while stating that the statutory benefits arising out of Sections 23 (1-A), 23(2) and 28 of the 1894 Act were never specifically awarded in favour of the respondents-landowners by this Court vide its decision dated 03.02.2014 passed in RFA No. 2381 of 2004; as such, they were not entitled for any such benefit.

[4] On the other hand, learned counsel for respondent No. 1-landowner supports the orders passed by the learned Executing Court, while stating that the same is based upon proper appreciation of the material available on record and as such, calls for no interference.

[5] After hearing learned counsel for the parties and gone through the paper-book, I am unable to find substance in the submission(s) made on behalf of the petitioner.

[6] A perusal of record shows that the learned Reference Court vide its decision dated 18.08.2004 while making assessment of compensation against the trees and also regarding the existing pipeline to the tune of Rs. 14,000/- and Rs. 8,000/- respectively went on to specifically award the statutory benefits provided under Sections 23 (1-A), 23(2) and 28 of the 1894 Act in favour of the respondents-landowners.

DINESH KUMAR
2026.05.07 18:16
I attest to the accuracy and
integrity of this document

[7] Admittedly, the petitioner-State of Punjab never assailed the award of such statutory benefits granted in favour of the respondents having preferred any appeal against the decision dated 18.08.2004 rendered by the learned Reference Court. It was only the respondents-landowners those who assailed the award dated 18.08.2004 for the purpose of seeking further enhancement of market value and the said RFA No. 2381 of 2004 was partly accepted by this Court vide decision dated 03.02.2014, whereby the market value against the trees was enhanced to Rs. 1,50,000/- and the compensation towards pipeline was increased to Rs. 90,000/- without making any kind of alteration as regards the grant of statutory benefits in terms of Sections 23 (1-A), 23(2) and 28 of the 1894 Act in favour of the respondents-landowners by the learned Reference Court vide decision dated 18.08.2004, and, therefore, such benefits were payable to the respondents-landowners.

[8] In such circumstances, the order dated 01.10.2019 passed by the learned Executing Court, based on proper appreciation of the facts and circumstances in the given case, thus calls for no interference. Consequently, the present revision petition, being devoid of merits, is hereby **dismissed**.

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

May 05, 2026 **(HARKESH MANUJA)**
'dk kamra' **JUDGE**

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

DINESH KUMAR
2026.05.07 18:16
I attest to the accuracy and
integrity of this document