



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-4359-2026

Date of Decision: 22.05.2026

Lal Husain and others

... Petitioners

V/s

Union of India and others

... Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. S.K. Choudhary, Advocate, for the petitioners.

VIKRAM AGGARWAL, J (ORAL)

The present revision petition, preferred under Article 227 of the Constitution of India, assails the order dated 10.03.2026 passed by the Court of Additional District Judge (Executing Court), Jalandhar.

2. The operative part of the impugned order reads as under:-

“Ld. Counsel for JDs No.1 & 2 furnished demand draft bearing No.813338 dated 26.02.2026 for an amount of Rs. 1,12,10,326/-.

Ld. Counsel further submitted that objection petition bearing No.ARB-751-2024 is pending but there is a stay granted by Ld. Predecessor v.o.d. 16.10.2024 on 50% of award amount.

In view of the above, 50% amount be released to the land owners on furnishing of bank guarantee in terms of order passed by Hon'ble High Court in CR-2594 of 2025 dated 04.09.2025 and the remaining 50% is converted into FDR.

Ld. Counsel for DH suffered the statement that till the bank guarantee is arranged, the entire amount may be ordered to be converted into FDR and she further withdraws the present execution petition with the liberty to revive the same after decision of objection petition U/s 34 Arbitration and Conciliation Act.

In view of the above, the present execution dismissed as withdrawn with the aforesaid liberty. The already attached amount by way of warrant of attachment on 04.02.2026 is ordered to be de-attached as the demand draft has already been submitted by the JDs. File be consigned to Record Room after due compliance.”

3. The sole grievance of the petitioner is with regard to the direction of withdrawal/release of 50% compensation of the amount to be deposited by the petitioners subject to furnishing of bank guarantee by the landowner/s.

4. Learned counsel for the petitioners has referred to order dated 23.03.2026 passed by the Hon'ble Supreme Court in *SLP Nos.26913-26915 of 2025* titled as *Vineet Sharma and another Vs. National Highway Authority of India and others* and other connected matters wherein a similar issue arose. The Hon'ble Supreme Court of India passed the following order:-

“2. It is a matter in which acquisition of the land belonging to the petitioners was made by the NHAI and the determination of compensation is an issue, wherein the direction to deposit the entire amount and release 50 per cent on bank guarantee has been ordered.

3) In our view, when the land belonging to petitioners was acquired to which compensation has been determined and deposited, though under challenge before the High Court, however, putting such an onerous condition to release 50% only on the bank guarantee does not appear reasonable. In support of the said contention reliance has been placed on the order dated 02.02.2026 passed recently in the case of National Highways Authority of India v. Indian Acrylics Limited & Ors. (SLP (C) Diary No. 2998 of 2026). However, considering the same, we dispose of these petitions with the direction that condition No. 21(ii) stands modified and the condition of furnishing bank guarantee by the High court for release of 50% amount stands set aside. The said amount be released to the land owners, on furnishing security of their own land, or on the security furnished of any other land owner submitting the papers of title. As prayed, the proceedings with respect to determination of the compensation pending before the High Court may be decided on priority or as expeditiously as possible.”

5. Learned counsel for the petitioners submits that the impugned order be modified and that instead of furnishing of a bank guarantee, the

petitioners be permitted to furnish security as ordered by the Hon'ble Supreme Court.

6. I have considered the submissions made by learned counsel for the petitioners.

7. There would be no necessity of issuing notice to the respondents, for, in view of the nature of the order that is proposed to be passed, no prejudice would be caused to them.

8. Keeping in view the order passed by the Hon'ble Apex Court, the direction to release 50% of the amount subject to furnishing of bank guarantee in terms of order dated 04.09.2025 passed by this Court in CR-2594-2025, is modified to the extent that the said release of 50% shall be subject to furnishing of security by the land-owners of their own land or on the furnishing of security of any other land-owner submitting the papers of title.

9. The revision petition is accordingly disposed of in the above terms.

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

(VIKRAM AGGARWAL)
JUDGE

May 22, 2026
vcgarg

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No