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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CR-5792-2025****Date of Decision: May 13, 2026****DURGA PRASAD DECEASED THROUGH HIS LRS AND ANOTHER**

.....Petitioner

Versus

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Tanmoy Gupta, Advocate for the petitioners
(through video conferencing).

Mr. Abhinav Kalia, DAG, Haryana.

Mr. Jagdish Manchanda, Sr. Advocate with
Mr. Nischal Manchanda, Advocate for respondent No.5.

HARKESH MANUJA, J. (ORAL)

1. By way of present revision petition, challenge has been laid to order dated 28.08.2024 passed by the learned Reference Court-cum-Addl. District Judge, Gurugram(hereinafter referred to as 'the Reference Court').
2. Briefly stating, in the present case, some land forming part of revenue estate of village, Mohammadpur Jharsa, Tehsil and District Gurugram came to be acquired vide notifications dated 29.01.2003 and 28.01.2004 issued under Sections 4 and 6 of the Land Acquisition Act, 1894 followed by award dated 27.01.2006. Being aggrieved thereof, the petitioners-landowners filed objections under Section 18 of the Act on 17.07.2008 which were decided on 26.08.2013 by the learned Reference Court. Later, the compensation was re-assessed by this Court. In the meanwhile, the petitioners-landowners preferred execution application for release of the enhanced compensation. During the said course, it came to the notice of the petitioners-landowners that particulars of 6 kanals 13 marlas of land forming part of Rect. No. 9, Killa No.3/1 (2 - 13), Rect No.9, killa No.8 (4 – 0) could not be mentioned in the application preferred under Section 18 of the Act. Faced with this, an application came to be filed under Sections 151 and 152 CPC at the instance of petitioners-landowners seeking the correction of the reference petition as well as the award dated 26.08.2013. Further, the learned Reference Court accepted the same though, restricted the entitlement of interest in favour of petitioners-landowners only from the date of filing of application i.e. 20.09.2021 for the supplementary land parcel of 6 kanals and 13 marlas. Being aggrieved of the same, the present revision petition has been filed.



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

4. Being aggrieved of the award dated 27.01.2006, passed by the Land Acquisition Collector (for short, 'the LAC'), the petitioners-landowners filed objections under Section 18 of the Act. In response thereto, it was enjoined upon the concerned LAC to submit complete and comprehensive details of land owned by the petitioners which was acquired in terms of notification dated 29.01.2003; in his statement filed under Section 19 of the Act. In such circumstances, merely because the petitioners-landowners had inadvertently omitted to specifically mentioned 6 kanals 13 marlas of land forming part of Rect. No. 9, Killa No.3/1 (2 - 13), Rect. No.9, killa No.8 (4 - 0). In the reference petition, they cannot be declined the benefit of interest on the enhancement granted in their favour. In fact, a conjoint reading of Sections 18 and 19 of the Act makes it evident that once landowners expresses dissatisfaction of the award passed by the LAC and seeks reference, it is thereafter enjoined upon the LAC to provide further details with respect to the acquired land as the statutory obligation under Section 19 stood cast upon the LAC to transmit complete and correct particulars of land to learned Reference Court.

5. In such circumstances, order dated 28.08.2024 passed by learned Additional District Judge, Gurugram is liable to be modified and petitioners-landowners are held entitled for award of release of statutory interest from the date of issuance of notification under Section 4 of the Act with respect to 6 kanlas and 13 marlas of land.

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

13.05.2026

Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>