

**IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA**

**CR No. 34 of 2026**  
**Decided on : 08.04.2026**

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Deen Dayal & others

...Petitioners

Versus

Land Acquisition Collector, HPPWD & others

...Respondents

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*Coram*

**Hon'ble Mr. Justice Jiya Lal Bhardwaj, Judge**

*Whether approved for reporting?*<sup>1</sup>

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For the petitioners: Mr. Naveen K. Bhardwaj,  
Advocate.

For the respondents: Mr. Rupinder Singh Thakur,  
Additional Advocate General.

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**Jiya Lal Bhardwaj, Judge (Oral)**

By way of present petition, the petitioners have laid challenge to the order dated 09.12.2025, passed by the learned District Judge, Kullu, Himachal Pradesh, in Execution Petition No. 7 of 2025, titled, ***Molak & others vs. Land Acquisition Collector, HPPWD & others***, whereby the execution petition preferred by the petitioners has been dismissed, on the ground that the same was filed after the expiry of 12 years of period, prescribed under Article 136 of the Limitation Act.

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<sup>1</sup> *Whether reporters of Local Papers may be allowed to see the judgment?*



2. The petitioners have averred that the period from 15.03.2020 till 28.02.2022 ought to have been excluded while computing the limitation as per the judgment passed by the Hon'ble Supreme Court, mention whereof has been recorded in the impugned order.

3. It is not in dispute that the petitioners had sought execution of the award dated 03.10.2012, passed by the Reference Court and the execution petition was filed on 17.01.2025. If the period from the date of passing the award is taken, the petitioners ought to have filed the execution petition on or before 02.10.2024, but the execution petition was preferred on 17.01.2025.

4. Learned counsel for the petitioners has vehemently argued that as per the decision of the Hon'ble Supreme Court, the period from 15.03.2020 till 28.02.2022, ought to have been excluded while computing the limitation, however the said period has not been excluded by the learned Court below and, therefore, the order passed by it is not sustainable in the eyes of law.

5. I have heard the learned counsel for the parties and also perused the order under challenge.

6. The Hon'ble Supreme Court while passing the



order, had directed to exclude the period w.e.f. 15.03.2020 till 28.02.2022, only where the limitation had to expire during the said period, notwithstanding the actual balance period of limitation. However, it was directed that all persons shall have a limitation period of 90 days from 01.03.2022, and in case the actual balance period of limitation remaining, w.e.f. 01.03.2022 is greater than 90 days, that longer period shall apply.

7. In the present case, the period of limitation had not expired on 28.02.2022 and thus the said judgment is not attracted. The execution petition was instituted on 17.01.2025, as such the period w.e.f. 15.03.2020 till 28.02.2022 cannot be excluded and the learned District Judge has rightly come to the conclusion that the execution petition is barred by limitation. The learned District Judge has also taken note of the fact that the petitioners had applied for certified copy of the award, sought to be executed on 07.12.2024, which was delivered on 12.12.2024 and further the execution petition was preferred on 17.01.2025, i.e. after about more than 1 month from the date of preparation of the copy.

8. Thus, the learned District Judge has rightly come



to the conclusion that the execution petition preferred by the petitioners was filed after expiry of the period of limitation and no illegality or infirmity can be found with the said order passed by him which requires interference while exercising the revisional jurisdiction by this Court.

9. Consequently, the present revision petition is dismissed. However, there shall be no orders as to cost. Pending application(s), if any, also stand disposed of.

**08<sup>th</sup> April, 2026**

*(Anurag)*

**( Jiya Lal Bhardwaj )  
Judge**