



RFA-2182-1998

-1-

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

108

RFA-2182-1998

Date of Decision: 06.07.2026

Joginder Singh Uppal

...Appellant

Versus

Land Acquisition Collector, Jalandhar and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - None for the appellant

Mr. Puru Jarewal, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. By order dated 13.02.2026 passed by this Court, Registry was directed to issue notice to the parties as well as their counsel.

2. As per office report, Mr. Puneet Jindal, Advocate has informed that he is no more representing the appellant. Likewise, Mr. Arvind Seth, Advocate has informed that he is no more representing respondent No.2.

3. The appellant had passed away and his son was duly served, however, there is no representation on his behalf. The matter is pending before this Court since 1998, thus, it is deemed appropriate to adjudicate on merits.

4. The appellant through instant appeal is seeking setting aside of award dated 02.04.1998 whereby learned Additional District Judge, Jalandhar has dismissed his petition.

5. The State Government acquired land measuring 246 Kanals 15

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village Chak Hussaina, Lamba Pind for the purpose of construction of Petroleum products installation for Bharat Petroleum Corporation at village Suchi Pind. Land Acquisition Collector announced award on 20.09.1993. The appellant preferred objections on 28.09.1992 stating that prior to publication of notification under Section 4 of Land Acquisition Act, 1894 (for short '1894'), he entered into an agreement dated 02.08.1989 in respect of Khasra Nos.1812, 3195/1820, 7674/1812, 1821, 3839/1810 and 2840/1810 situated in village Chak Hussaina Lamba Pind which was executed in his favour by the respondents for the sale of sand from the aforesaid land. He has paid lease money to the respondents for the stipulated period, thus, he was entitled to one third of the total compensation awarded with respect to land in question. The matter came to be referred to the Reference Court. It came up for consideration before learned Additional District Judge, Jalandhar who vide impugned award rejected appellant's claim on the ground that lease agreement was not extended and extension was not automatic. The appellant removed sand from the disputed land upto 31.07.1993. He did not exercise option of getting the license extended for a period of 2 more years i.e. upto 31.07.1995. His brick kiln was acquired on 28.12.1990. There is no evidence disclosing extension of period of license. Even otherwise, extension was not legally possible as land in question was acquired and award was passed on 20.09.1993. He lifted sand upto 31.07.1993 and upto the said date paid license fee. He did not suffer any loss, thus, is not entitled to apportionment of compensation.

6. A perusal of findings recorded by learned Additional District Judge, Jalandhar reveals that there is no factual or legal infirmity warranting interference. The Reference Court has returned findings on the basis of



evidence on record. The appellant failed to prove his entitlement, thus, Reference Court has rightly dismissed his petition.

7. In the backdrop, this Court is of the considered opinion that present appeal deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

06.07.2026
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No