

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

**Civil Revision No.2676 of 1992 (O&M)
Date of decision: 10.12.2015**

The Punjab State Electricity Board and another

.....Petitioners

Versus

Jagjit Pal Singh and others

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Geeta Sharma, Advocate,
for the petitioners.

Ritu Bahri, J.

Challenge in this petition is to the supplementary Award dated (Annexure P-3) and the order dated 28.05.1992 (Annexure P-5) passed by the SDO (Civil)-cum-Land Acquisition Collector, Dasuya-respondent No.9.

Vide Award dated 21.01.1986, the Land Acquisition Collector, Dasuya had awarded compensation with regard to acquisition proceedings initiated for Mukerian Hydle Channel vide notification dated 28.02.1985. Land of Balsharan Singh son of Chattar Singh of the same village was also acquired vide same notification. He challenged the Award passed by the Land Acquisition Collector before the Additional District Judge, Hoshiarpur, who enhanced the compensation vide order dated 18.04.1990. Thereafter, an application was moved by the claimants before the Land Acquisition Collector, Dasuya, under Section 28-A of the Land Acquisition Act seeking supplementary Award qua the enhanced amount awarded by the

Court of Additional District Judge, Hoshiarpur. That said application was decided vide Annexure P-3 and the compensation was reassessed by the Collector as per para No.29 of the Award dated 10.04.1990 passed by the Additional District Judge, Hoshiarpur, which is as under:-

1. Chahi : Rs.70,000/-
2. Barani : Rs.40,000/-

Besides above, they were also held entitled to get interest at the rate of 12% pr annum on the market value of their land from the date of notification to the date of Award of Collector or the date of taking possession of land, whichever is earlier, solituim at the rate of 30% and interest at the rate of 9% per annum for one year after taking over possession and 15% per annum thereafter, till the realization of the amount.

Thereafter, the petitioners made a reference petition under Section 28-A (3) of the Land Acquisition Act (Annexure P-4), which was declined by the SDO (Civil), Dasuya, vide order dated 28.05.1992 (Annexure P-5).

Learned counsel for the petitioner has informed the Court on 06.08.2015 that the matter is covered by a decision given by this Court in RFA No.2627 of 1990.

Now the Registry has put up the judgment passed by this Court in RFA No.2627 of 1990, titled as Punjab State through SDO (C)-cum-LAC, Dasuya and another Vs. Mansha Ram and others, decided on 12.12.2008. In that case, the Chief Engineer, M.P.H.C. Irrigation Works, Punjab, Chandigarh, had acquitted the land vide notification No.1145 dated 28.02.1985 issued under Section 4 of the Act., for disposal of excavated earth at the site of power house No.III (MHP) in village Raili and Bhallowal, Tehsil Dasuya, District Hoshiarpur. The Coordinate Bench of

this Court, vide aforesaid judgment, has decided five regular first appeals

together and upheld the compensation assessed by the Reference Court.

Learned counsel for the petitioners fairly concedes that the issue involved in this petition is squarely covered by the judgment passed in RFA No.2627 of 1990.

In view of the above, no ground is made out to interfere in the impugned order/Award.

Dismissed.

10.12.2015
ajp

(RITU BAHRI)
JUDGE