

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

Date of Decision: 04.11.2015

CWP No.2109 of 1988

Karan Dev ...Petitioner

Versus

State of Punjab & others ...Respondents

CWP No.2110 of 1988

Padam Parkash ...Petitioner

Versus

State of Punjab & others ...Respondents

CWP No.2112 of 1988

Manu Dev ...Petitioner

Versus

State of Punjab & others ...Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present: Mr. Jaideep Verma, Advocate,
for the petitioner(s).

Mr. Manoj K. Bajaj, Addl. AG, Punjab,
for respondent Nos.1 & 2.

Mr. Harsh Chopra, Advocate, for
Mr. T.S.Gujral, Advocate, for respondent No.3.

HEMANT GUPTA, J. (ORAL)

This order shall dispose of aforementioned three writ petitions, wherein challenge is to the Award dated 03.03.1987 rendered by the Land Acquisition Tribunal, whereby compensation at the rate of Rs.45,000/- per acre for Chahi; Rs.40,000/- per acre for Barani; Rs.35,000/- per acre for Banjar; & Rs.25,000/- per acre was awarded for the land acquired. In

addition to the said compensation, the land-owners were granted additional compensation of 25% upto the depth of 100 yards on either side of the link road according to its classification and also ordered for deduction at the rate of Rs.1000/- per acre in case of low lying area.

Against the same Award of the Land Acquisition Tribunal, this Court vide order dated 05.09.1988 rendered in CWP No.9348 of 1987 titled 'Gurmukh Singh & others Vs. State of Punjab & others' determined the compensation at the rate of Rs.70,000/- per acre irrespective of the classification as made by the learned Land Acquisition Tribunal. In an appeal against the said order bearing LPA No.89 of 1989 titled 'The Ropar Improvement Trust, Ropar Vs. Kesar Singh & others', a Division Bench of this Court vide order dated 26.10.1990 modified the order dated 05.09.1988 and set aside the benefit under Section 23(1)(A), 23(2) & 28 of the Land Acquisition Act, 1894 only. Special Leave Petition against the said order stands dismissed by the Hon'ble Supreme Court.

In view of the above, all the three petitions are allowed in the same terms as in CWP No.9348 of 1987 and as modified by order dated 26.10.1990 in LPA No.89 of 1989.

(HEMANT GUPTA)
JUDGE

04.11.2015
Vimal

(RAJ RAHUL GARG)
JUDGE