

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

CWP No.1197 of 1994

Date of decision:8.9.2015

Bhagwan Devi

....Petitioner

VERSUS

The President, Tribunal and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present: Mr. Dinesh Arora, Advocate for the petitioner.

Mr. Ashok Giri, Advocate for respondent No.2.

HEMANT GUPTA, J.(Oral)

The challenge in the writ petition is to the award of Improvement Trust Tribunal, Kurukshetra (for short “the Tribunal”) dated 27.07.1993 in respect of acquisition of land vide notification dated 31.08.1973 under Section 36 of The Punjab Town Improvement Act, 1922 (for short ‘the Act’) followed by a declaration under Section 42 of the Act on 18.09.1973. The Land Acquisition Collector awarded a sum of Rs.105 per square yard for the land in the first belt i.e. from the State Highway towards West to a depth of 36 feet from West to East and Rs.20/- per square yard for the remaining land.

Learned counsel for the petitioner relies upon an order passed by a Division Bench of this Court in CWP No.14813 of 1993 titled Lal Chand and others v. The President, Tribunal, Town Improvement Trust,

Kaithal and another, decided on 12.11.2014, wherein a sum of Rs.105/- per square yard has been awarded as compensation for the entire land.

The only argument raised by learned counsel for the respondent is that such judgment is subject matter of appeal before Hon'ble Supreme Court.

As far as this Court is concerned, the matter has attained finality when a compensation of Rs.105/- per square yard for the entire track of land has been awarded. In view of the said judgment, we deem it appropriate to allow the writ petition in the same terms as CWP No.14813 of 1993 titled Lal Chand and others v. The President, Tribunal, Town Improvement Trust, Kaithal and another.

(HEMANT GUPTA)
JUDGE

SEPTEMBER 8, 2015
'D. Gulati'

(RAJ RAHUL GARG)
JUDGE