

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

**RFA No. 1412 of 1993 (O&M)
LAC No. 66/97 of 1991**

Date of decision : 7.9.2015

Prabh Dayal (deceased) through LRs

.. Appellant

versus

Union of India and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Kuldip Sanwal and Mr. Ravi Kamal Gupta, Advocates,
for the applicants-appellant.

Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

Rajesh Bindal J.

The landowner has filed the present appeal against the award of the learned court below seeking enhancement of compensation for the acquired land.

Briefly, the facts of the case are that State of Punjab, vide notification dated 8.4.1988 issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), sought to acquire land of Villages Tharyal and Sadhouri, Tehsil and District Pathankot, for construction of accommodation for unit of Personnel and storage of Arms and Ammunition and firing range for standard B.S.F. Battalion. The Land Acquisition Collector vide award dated 20.2.1990 assessed the market of the acquired land of village Sadhouri @ ₹ 24,000/- per acre for barani-II, ₹ 40,000/- per acre for nehri, and ₹ 6,000/- per acre for gair mumkin land. For the acquired land of village Tharyal the compensation was assessed @ ₹ 24,000/- per acre for barani-II and ₹ 6,000/- per acre for gair mumkin land. The landowners feeling dissatisfied with the amount of compensation awarded by the Collector, filed objections, which were referred to the learned Reference Court, who keeping in view the material placed on record by the

parties, assessed the market value of the acquired land of both the villages @ ₹ 500/- per marla. It is this award which is impugned in the present appeal.

Learned counsel for the appellant submitted that the issue involved in the present appeal is squarely covered by judgment of this Court in RFA No. 3483 of 1992 Union of India and others vs Raghbir Singh and others, decided on 27.5.2015, whereby the compensation for the acquired land was assessed @ ₹ 1,000/- per marla.

Learned counsel for the State did not dispute the aforesaid factual position.

For the reasons mentioned in Raghbir Singh's case (supra), the present appeal is disposed of in the same terms.

7.9.2015
vs.

(Rajesh Bindal)
Judge