VARINDER SINGH
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Punjab & Haryana High Court at Chandigarh

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA No. 2261 of 1993 (O&M)

Date of decision : 11.8.2015

The State of Punjab .. Appellant

versus

Gram Panchayat, Mohi Kalan .. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

Rajesh Bindal, J.

The State is in appeal seeking reduction of compensation awarded to the respondent- Gram Panchayat for the acquired land.

Briefly the facts are that vide notification dated 11.3.1987 issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') the State of Punjab sought to acquire land situated within the revenue estate of village Mohi Kalan, Tehsil Rajpura, District Patiala, for construction of Gobindgarh distributory. Notification under Section 6 of the Act was issued on 11.3.1987. The Land Acquisition Collector (for short, 'the Collector') vide award dated 14.3.1987 assessed the compensation for the acquired land @ ₹ 60,000/- per acre for chahi and ₹ 35,000/- per acre for gair mumkin kind of land. Dissatisfied with the award of the Collector, the landowner filed objections. On reference under Section 18 of the Act, the learned court below determined the market value of the acquired land @ ₹ 1,00,000/- per acre for chahi and ₹ 40,000/- per acre for gair mumkin kind of land. Aggrieved against the award of learned Court below, the State is before this Court.

Learned counsel for the State did not dispute the fact that the award of the learned Court below has been upheld by this Court in RFA No. 1525 of 1993 *Charan Singh and another vs State of Punjab and another* decided on 20.10.2008.

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Since the award of the learned Court below has been upheld by this Court in *Charan Singh's* case (supra), the case of the State for reduction does not survive. Accordingly, for the reasons recorded in *Charan Singh's* case (supra), the present appeal is dismissed.

11.8.2015 (Rajesh Bindal)
vs Judge