

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

FAO No.725 of 1991 (O&M)

Date of Decision: July 01, 2015

Jagdish Singh @ Jagdish Ram and another .. Appellants

vs.

Punjab State and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. G.S. Jaswal, Advocate for the appellants.

Mr. R.S. Pathania, Deputy Advocate General, Punjab.

Mr. M.L. Saini, Advocate for respondent Nos.2 and 3.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.

CM No.8299-CII of 2015 has been filed by respondent Nos.2 and 3 for placing on record the relevant record/judgments received from the office of Land Acquisition Collector, Dasuya, District Hoshiarpur. The application has not been listed today and the same is taken on board for hearing today.

The application is allowed as prayed for.

The relevant record/judgments received from the office of Land Acquisition Collector, Dasuya, District Hoshiarpur, are taken on record.

FAO-725-1991

Impugned in the present appeal is order dated 19.01.1991 passed by the learned District Judge, Hoshiarpur, vide

which the review application of the order dated 29.10.1990 was allowed and it was ordered that in view of the law laid down in ***“Puran vs The State of Haryana”, 1985(2)A.L.L.R178 (P&H)***, the Award dated 27.10.1990 in the land acquisition case is set aside and the application of the claimants dated 19.09.1990 is dismissed holding that the claimants are not entitled to additional amount of 12% per annum on the market value on the acquired land from 11.04.1980 to 11.09.1991.

Learned counsel for the appellant has argued that the appellant is entitled to additional amount of 12% per annum of the market value on the acquired land. In this regard, he has pressed into service authority of Hon'ble the Supreme Court in case of ***“Kashmir Singh vs State of Haryana and others”, 2014(1) RCR (Civil) 512*** and ***“Ashrafi and others vs State of Haryana and others”, 2013(2) RCR (Civil) 856***, wherein Hon'ble the Apex Court allowed 12% per annum additional amount of the market value on the acquired land.

The impugned order was passed on the basis of ***Puran's case (supra)*** decided by this Court.

In view of the authorities of Hon'ble the Supreme Court, the appellant shall be entitled to 12% per annum additional amount of market value on the acquired land.

The present appeal is accordingly allowed.

July 01, 2015
sarita

(KULDIP SINGH)
JUDGE