

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

RFA No. 981 of 1990 (O&M)

Date of decision : 13.8.2015

Chuni Lal (deceased) through LR's and another	 Appellants
vs	
The Land Acquisition Officer and another	 Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Naresh Prabhakar, Advocate, for the landowners.
 Ms. Promila Nain, Advocate, for the respondents.

Rajesh Bindal J.

The landowners are in appeal before this court against the award of the learned court below seeking enhancement of compensation for the acquired land.

Briefly, the facts of the case are that vide notification dated 9.1.1985 issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), the State of Punjab sought to acquire land situated in village Khadawar, Hadbast No. 225, Tehsil Pathankot, District Gurdaspur, for construction of Power House No. 1, UBDC Stage-II, Project Malikpur (Pathankot). Notification under Section 6 of the Act was issued on 9.1.1985. The Land Acquisition Collector (for short, the Collector) vide award dated 11.9.1985 assessed the market value of acquired land @ ₹ 10,200/- per acre for nehri, ₹ 12,850/- per acre for chahi and ₹ 5,000/- per acre for gair mumkin kind of land. Dissatisfied with the award of the Collector, the landowners filed objections. On reference under Section 18 of the Act, the learned Court below assessed the market value @ ₹ 16,000/- per acre for the acquired land and ₹ 72,938/- for the acquired structures. It is this award which is impugned in the present appeal.

Learned counsel for the appellants submitted that the issue involved in the present appeal is squarely covered by judgment of this Court in RFA No. 944 of 1990 Amarjit Kaur and others vs Punjab State

Electricity Board and others, decided on 10.3.2004, whereby the amount of compensation for the land acquired vide same notification was enhanced to ₹ 36,000/- per acre.

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

Accordingly, for the reasons recorded in Amarjit Kaur's case (supra), the present appeal is disposed of in the same terms.

13.8.2015

vs.

(Rajesh Bindal)
Judge