

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

VARINDER SINGH
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Punjab & Haryana High Court at
Chandigarh

RFA No. 1198 of 1989 (O&M)

Date of decision : 12.8.2015

State of Punjab

.. Appellant

versus

Gurdev Singh

.. 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 landowners for the acquired land.

Briefly the facts are that vide notification dated 2.9.1981 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 villages Neelpur and Sayed Kheri, Tehsil Rajpura, District Patiala, for construction of Grain Market (Anand Mandi). The Land Acquisition Collector (for short, 'the Collector') vide award dated 24.4.1984 assessed the compensation for the acquired land at the following rates:-

Village Neelpur

- | | | |
|----|-------------|---------------------|
| 1. | Chahi | ₹ 50,000/- per acre |
| 2. | Barani | ₹ 40,000/- per acre |
| 3. | Gair mumkin | ₹ 30,000/- per acre |

Village Sayed Kheri

- | | | |
|----|-------------|---------------------|
| 1. | Chahi | ₹ 45,000/- per acre |
| 2. | Barani | ₹ 35,000/- per acre |
| 3. | Gair mumkin | ₹ 25,000/- per acre |

Dissatisfied with the award of the Collector, the landowners filed objections. On reference under Section 18 of the Act, the learned court below determined the market value of the acquired land of both the villages @ ₹ 1,00,000/- per acre for chahi and ₹ 60,000/- per acre for other kinds of land. Aggrieved against the award of learned Court below, the State is before this Court.

Learned counsel for the State could not dispute the fact that Hon'ble the Supreme Court in Civil Appeal Nos. 2275-2292 of 2005 -Balbir Chand and others vs State of Punjab, decided on 7.12.2010, had further enhanced the market value of the land acquired vide notification dated 2.9.1981 to ₹ 1,87,000/- per acre.

Since the amount of compensation has been further enhanced by Hon'ble the Supreme Court in Balbir Chand's case (supra), the claim of the State in the present appeal does not survive. Accordingly, for the reasons recorded in Balbir Chand's case (supra), the present appeal is dismissed.

12.8.2015
vs

(Rajesh Bindal)
Judge