

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

**RFA No. 611 of 1993 (O&M)
LAC No. 36 of 1989**

Date of decision : 8.9.2015

Punjab State and others

..... Appellants

VS

Kunjo

.... Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.
Mr. R. S. Manhas, Advocate, for the landowner (s).

Rajesh Bindal J.

This order will dispose of RFA Nos. 611 of 1993 and 2929 to 2931 of 1994, and cross-objections no. 42/CI of 1998 in RFA No.2930 of 1994, as the same arise out of common acquisition.

The landowners have filed cross-objection against the award of the learned court below passed under Section 18 of the Land Acquisition Act, 1894 (for short, 'the Act') seeking enhancement of compensation for the acquired land, whereas by filing appeals, the State is seeking reduction thereof.

This bunch of appeals pertain to land acquired for the purpose of construction of Ranjit Sagar Dam, vide notification dated 27.02.1987 issued under Section 4 of the Act, by the State of Punjab, notifying 1602 acres of land pertaining to six different villages, namely, Phangota (Tikka Katal) Hadbast No. 403, Satin (Tikka Satin) Hadbast No. 404, Phangota (Tikka Samlat) Hadbast No. 403, Phangota (Tikka Gulial) Hadbast No. 403, Tharah Uparla (Tikka Ladhwal) Hadbast No. 399/2, and Darkua Bungla (Tikka Godhwan) Hadbast No. 405. The Land Acquisition Collector (for

short, “the Collector”), assessed the market value of the acquired land at the following rates:-

<i>Sr. No.</i>	<i>Name of the village</i>	<i>Quality of land</i>	<i>Amount of compensation (in ₹)</i>
1	Phangota Tikka Katal	Nehri	15,000/-
		Barani I	12,000/-
		Barani II	11,000/-
		Banjar Qadim	6,000/-
		Abi	10,000/-
		Gair Mumkin	3,000/-
		Gair Mumkin Abadi	20,000/-
2	Sarti Tikka Satin	Abi	10,000/-
3	Phangota Tikka Samlat	Barani II	11,000/-
		Banjar Qadim	6,000/-
		Gair Mumkin	3,000/-
4	Phangota Tikka Gulial	Barani I	10,000/-
		Barani II	10,000/-
		Banjar Qadim	6,000/-
		Abi	10,000/-
		Gair Mumkin	3,000/-
		Barani III	8,000/-
		Gair Mumkin Abadi	20,000/-
5	Darkua Bungla Tikka Godhwan	Barani I	15,000/-
		Barani II	12,000/-
		Banjar Qadim	6,000/-
		Abi	10,000/-
		Gair Mumkin	3,000/-
6	Thara Upparla Tikka Ladhwal	Barani II	8,000/-
		Banjar Qadim	6,000/-
		Abi	10,000/-
		Gair Mumkin	3,000/-

The landowners being dissatisfied with the award of the Collector, filed objections, which were referred to the learned Court below. The learned Court below assessed the compensation for the acquired land at the following rates:-

Sr. No.	Type of land	Amount (in ₹)
1	Abi land	40,000/- per acre
2	Barani land	35,000/- per acre
3	Gair mumkin banjar qadim	15,000/- per acre
4	Gair mumkin village abadi	80,000/- per acre

Dissatisfied with the award of the learned court below, both the parties impugned the award of the learned Court below before this Court.

Learned counsel for the parties submitted that the issue raised in the present set of appeals and cross-objections is squarely covered by judgment of this Court in RFA No. 1400 of 1991 Makhan Singh vs Punjab

State and others decided on 15.10.2010, whereby the award of the learned Court below was upheld.

Since the award of the learned Court below was upheld by this Court in Makhan Singh's case (supra), nothing survives in the appeals and the cross-objections. Accordingly, for the reasons recorded in Makhan Singh's case (supra), the cross-objections filed by the landowners seeking further enhancement of compensation and appeals filed by the State for reduction thereof are dismissed.

8.9.2015

vs.

(Rajesh Bindal)
Judge