

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

VARINDER SINGH
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Punjab & Haryana High Court at
Chandigarh

RFA No. 3905 of 1992 (O&M)

Date of decision : 11.8.2015

The State of Punjab

.. Appellant

versus

Gram Panchayat, Khizarpur

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

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

Rajesh Bindal, J.

The State is in appeal impugning the award of the learned Court below whereby on account of acquisition of land, compensation was enhanced. The land was owned by the respondent- Gram Panchayat.

Briefly the facts are that vide notification dated 20.8.1982 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 Khizarpur, Hadbast No. 130, Tehsil Nabha, District Patiala, for construction of Sirhind Choe from RD 419130 to RD 518952. Notification under Section 6 of the Act was issued on 26.9.1984. The Land Acquisition Collector (for short, 'the Collector') vide award dated 22.9.1986 assessed the compensation for the acquired land @ ₹ 20,000/- per acre for chahi, ₹ 9,000/- per acre for banjar kadim and ₹ 5,000/- per acre for gair mumkin kinds 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 @ ₹ 32,000/- per acre for chahi kind of land. Aggrieved against the award of learned Court below, the State is before this Court.

In the present case, notification under Section 4 of the Act was issued on 20.8.1982. Now about 33 years have been passed. The amount of enhanced compensation has already been paid to the Gram Panchayat, which must have been used for the welfare of the residents of the village.

Considering the aforesaid factual aspect, this Court would not like to interfere with the impugned award. Accordingly, the appeal is dismissed.

11.8.2015
vs

(Rajesh Bindal)
Judge