

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

RFA No. 2499 of 2003 (O&M)

LAC No. 132 of 2.6.2001

Date of decision : 22.9.2015

Union Territory, Chandigarh

.. Appellant

versus

Ajit Singh

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: None for the appellant.

Mr. R. K. Dhiman, Advocate, for the landowner.

Rajesh Bindal, J.

This order will dispose of RFA Nos. 2499 and 2500 of 2003, as the same arise out of common acquisition.

By filing appeal, the Chandigarh Administration is seeking reduction of compensation for the acquired land as awarded to the landowners.

Briefly, the facts are that vide notification dated 10.12.1991, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), the Chandigarh Administration sought to acquire land situated in village Palsora, Union Territory, Chandigarh. Notification under Section 6 of the Act was issued on 24.3.1992. The Land Acquisition Collector (for short, 'the Collector') vide award dated 13.5.1992 assessed the market value of the acquired land @ ₹ 2,38,500/- per acre. Dissatisfied with the award of the Collector, the landowners filed objections. On reference, the learned court below determined the market value of the acquired land @ ₹ 4,35,600/- per acre. This award has been impugned in the present appeals by the Union Territory, Chandigarh.

No one has appeared for Union Territory, Chandigarh.

Learned counsel for the landowner submitted that the issue raised in both the appeals is squarely covered by judgment of this Court in

RFA No. 844 of 2000 Smt. Harbhajan Kaur vs Union Territory, Chandigarh decided on 26.3.2009, whereby the compensation for the land acquired vide same notification was enhanced to ₹ 9,51,300/- per acre.

Since this Court has further enhanced the compensation, the claim of the Union Territory, Chandigarh, for reduction does not survive. Accordingly, for the reasons recorded in Smt. Harbhajan Kaur's case (supra), the present appeals are dismissed.

22.9.2015
vs

(Rajesh Bindal)
Judge