

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

VARINDER SINGH
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Punjab & Haryana High Court at
Chandigarh

RFA No. 1132 of 1991 (O&M)

Date of decision : 12.8.2015

State of Punjab

.. Appellant

versus

Tek Chand and others

.. Respondents

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 seeking reduction of compensation awarded to the landowners for acquisition of trees standing on the acquired land.

Briefly the facts are that vide notification dated 5/6.9.1985 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 Manakpur, Hadbast No. 272, Tehsil Rajpura, District Patiala, for construction of SYL Canal. Notification under Section 6 of the Act was issued on 19.9.1985. The Land Acquisition Collector (for short, 'the Collector') vide award dated 13.7.1987 assessed the compensation for the acquired trees existing on the 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 compensation for the trees as ₹ 3,47,600/-, less the amount awarded by the Collector. 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 the issue involved in the present appeal is squarely covered by judgment of this Court in RFA No. 958 of 1991 – Tek Chand and others vs State of Punjab and another decided on 16.8.2010.

For the reasons recorded in Tek Chand's case (supra), the present appeal is dismissed.

12.8.2015
vs

(Rajesh Bindal)
Judge