

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

VARINDER SINGH
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Punjab & Haryana High Court at
Chandigarh

RFA No. 893 of 1991 (O&M)

Date of decision : 12.8.2015

State of Punjab and another

.. Appellants

versus

Shalin Kaintal 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 seeking reduction of compensation awarded to the landowners for the acquired land.

Briefly the facts are that vide notification dated 23.2.1981 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 village Sanaur, Tehsil and District Patiala, for construction of bye-pass. The Land Acquisition Collector (for short, 'the Collector') vide award dated 22.9.1986 assessed the compensation for the acquired land @ ₹ 1,05,000/- 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 @ ₹ 1,67,000/- per acre. 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 this Court in RFA No. 152 of 1991 - Roor Singh (deceased) through LRs vs The State of Punjab, decided on 26.3.2009, had assessed the compensation @ ₹ 1,67,000/- per acre.

Since the award of the learned Court below is in consonance of judgment of this Court in Roor Singh (deceased)'s case (supra), the claim of the State does not survive. Accordingly, for the reasons recorded in Roor Singh (deceased)'s case (supra), the present appeal is dismissed.

12.8.2015

vs

(Rajesh Bindal)

Judge