

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

RFA No. 2395 of 1995 (O&M)
LR No. RT 421/26.9.1991/31.10.1992
Date of decision : 23.9.2015

The State of Punjab .. Appellant
versus
Bant Kaur and another .. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

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

Rajesh Bindal, J.

This order will dispose of RFA Nos. 2395 and 2396 of 1995, as the same arise out of common acquisition.

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

Briefly, the facts are that vide notification dated 16.9.1988, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), the State of Punjab sought to acquire land situated in village Khuni Majra, Hadbast No. 187, Tehsil Kharar, District Roprar, for construction of Kharar Right Distributory. Notification under Section 6 of the Act was issued on 5.10.1988. The Land Acquisition Collector (for short, 'the Collector') assessed the market value of the acquired land @ ₹ 60,000/- per acre for chahi, ₹ 45,000/- per acre for barani and ₹ 36,000/-per acre for gair mumkin kind of land. 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 @ ₹ 1,00,000/- per acre for chahi and ₹ 80,000/- per acre for barani kind of land. This award has been impugned in the present appeals by the State.

Learned counsel for the State very fairly submitted that the issue raised in both the appeals is squarely covered by judgment of this Court in RFA No. 3281 of 1993 Sadhu Singh vs The State of Punjab

decided on 11.5.2010, whereby the compensation for the land acquired vide same notification was assessed @ ₹ 2,00,000/- per acre for chahi, ₹ 1,60,000/- per acre for barani and ₹ 1,20,000/- per acre for gair mumkin kind of land.

Since this Court has further enhanced the compensation, the claim of the State, for reduction does not survive. Accordingly, for the reasons recorded in Sadhu Singh's case (supra), the appeals are dismissed. Consequently, the accompanying applications are also dismissed.

23.9.2015
vs

(Rajesh Bindal)
Judge