

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

RFA No.1229 of 1997 (O&M)
Date of decision: 2.9.2015

Kirpal Singh (deceased) through LR

..... Appellant

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Maninder Singh, Advocate for
Mr. H.S. Dhandi, Advocate and
Mr. Chanderkant Verma, Advocate for
Mr. Munish Gupta, Advocate, for the landowners.
Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

RAJESH BINDAL, J

This order will dispose of a bunch of appeals bearing RFA Nos.1229, 1247 to 1249, 1466 to 1468, 1734, 2267 of 1997, 1176 of 1998 and 270 of 1999, as common questions of law and facts are involved therein.

The landowners are in appeals seeking enhancement of compensation for the acquired land, whereas the State is in appeal seeking reduction thereof.

Briefly, the facts of the case are that State of Punjab, vide notification dated 24.3.1988, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), sought to acquire the land, situated in the revenue limits of villages Nanu Majra and Manouli, Tehsil Kharar, District Ropar for construction of Lower Branch Canal. The same was followed by notification dated 15.4.1988, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide awards dated 12.6.1990 and 19.6.1990, assessed compensation @ ₹ 60,000/- per acre for Chahi/Abi land; ₹ 45,000/- per acre for Barani land and ₹ 36,000/- per acre for Gair Mumkin kind of land. Dissatisfied with the awards of the Collector, the landowners filed objections. On reference under Section 18 of the Act,

the learned court below, vide awards dated 4.11.1996 and 22.8.1997, assessed the market value of the acquired land @ ₹ 1,75,000/- per acre.

Learned counsel for the State submitted that the claim made in the present set of appeals is squarely covered by judgment of this Court passed in R.F.A. No. 3255 of 1993 –State of Punjab vs. Maghi and others, decided on 23.8.2011, whereby award of the learned court below was upheld.

Learned counsel for the landowners did not dispute the aforesaid factual position.

Accordingly, for the detailed reasons recorded in Maghi's case (supra), the present appeals are dismissed.

(RAJESH BINDAL)
JUDGE

2.9.2015

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