

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

RFA No. 2610 of 1996 (O&M)

Date of decision : 28.8.2015

State of Punjab and others

..... Appellants

VS

Chet Ram and others

..... 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. 2610 to 2612 of 1996 as the same arise out of common acquisition.

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

Briefly the facts are that vide notification dated 6.1.1993, published on 8.1.1993, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') the State of Punjab sought to acquire land situated in the revenue estate of village Chamrau, Hadbast No.402, Tehsil Pathankot, District Gurdaspur for construction of reservoir area. The same was followed by notification dated 23.6.1993 issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector') vide award dated 14.8.1994 awarded compensation @ ₹ 12,000/- per acre for barani-II and ₹ 3,000/- per acre for gair mumkin land. Dissatisfied with the award of the Collector, the landowners filed objections. On reference the learned court below vide award dated 14.8.1996 assessed the compensation @ ₹ 61,200/- per acre for barani-II and ₹ 27,200/- per acre for gair mumkin land. Aggrieved against the award of learned Court below, the State filed appeal before this Court.

Learned counsel for the appellants-State very fairly submitted that the issue raised in the present appeals is squarely covered by judgment of this court in RFA No. 4525 of 2001 – Thuru Ram vs State of Punjab and others, decided on 16.3.2009, which was further followed in RFA No. 2467 of 2003 Vinod Kumar Puri and others vs State of Punjab and others decided on 5.10.2010, wherein this court determined the market value of the land acquired vide same notification @ ₹ 1,754/- per marla.

Since this court has further enhanced the compensation for the acquired land, the claim of the State for reduction does not survive. Accordingly, for the reasons recorded in Thuru Ram's and Vinod Kumar Puri's cases (supra), the appeals are dismissed.

28.8.2015

vs.

(Rajesh Bindal)
Judge