

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

RFA No. 1643 of 2000 (O&M)

Date of decision : 30.10.2015

The State of Punjab

..... Appellant

VS

Joginder Singh (deceased)

..... Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. P. S. Bajwa, Deputy Advocate General, Punjab.
None for the landowners.
None for the Punjab Small Industries & Export Corporation
Limited.

Rajesh Bindal J.

This order will dispose of RFA Nos. 1643, 1688 to 1690, 1707, to 1709, 1716, 1720, 1793, 2002, 2330, 2357, 2406, 2705 of 2000, 68 to 77, 94, 353 to 359, 482 to 496, 1142, 2176 to 2178 of 2001 and Cross-Objection Nos. 4/CI of 2003, 36/CI and 42/CI of 2009, as the same arise out of common acquisition.

The landowners have filed appeals and cross-objections seeking enhancement of compensation for the acquired land, whereas the State of Punjab and Punjab Small Industries & Export Corporation Limited (for short, 'the Corporation') are seeking reduction thereof.

Briefly, the facts of the case are that vide notification dated 4.4.1989, published on 7.4.1989, 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 villages Kumbra and Kambala, District Ropar (now Tehsil and District Mohali) for expansion of Industrial Focal Point, Mohali. Notification under Section 6 of the Act was issued on 6.7.1989. The Land Acquisition Collector (for short, 'the Collector') assessed the market value of the acquired land at ₹ 1,00,000/- per acre for chahi, ₹ 80,000/- per acre for barani and ₹ 5,500/- per acre for gair mumkin kind of 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 market value of the acquired land @ ₹ 5,20,000/- per acre. It is this award which is impugned in the present set of appeals and cross-objections.

Learned counsel for the State very fairly submitted that issue raised in the present set of appeals and cross-objections is squarely covered by the judgment of this court in Smt. Jaswant Kaur and others vs State of Punjab and another, 2005(3) RCR (Civil) 384, whereby the compensation payable to the land owners has been further enhanced to ₹ 5,96,000/- per acre.

Since the compensation payable to the landowners for the acquired land was further enhanced by this Court in Smt. Jaswant Kaur's case (supra), the appeals filed by the State and the Corporation seeking reduction are dismissed and the appeals and cross-objections filed by the landowners are allowed in terms thereof.

As none has appeared for the landowners, a copy of the order be sent to them.

30.10.2015
vs.

(Rajesh Bindal)
Judge