

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

RFA No. 1939 of 1998 (O&M)

Date of decision : 26.11.2015

Manmohan Singh and others

... Appellants

VS

The State of Punjab

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: None for the landowners.

Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

Mr. Sanjeev Sharma, Advocate, for PSIEC.

Rajesh Bindal, J.

This order will dispose of four appeals bearing RFA Nos. 1939 of 1998, 82, 83 and 92 of 2000, as common questions of law and facts are involved therein.

The landowners are in appeal seeking enhancement of compensation for the acquired land, whereas, the Punjab State Industrial & Export Corporation Limited (for short, 'PSIEC') is in appeal seeking reduction thereof.

Briefly, the facts are that vide notifications dated 27.3.1991/8.4.1991 and 23.1.1992, issued under Sections 4 and 6, respectively of the Land Acquisition Act, 1894 (for short, 'the Act'), the Government of Punjab sought to acquire land situated in Villages Chanalon and Singhpura, Tehsil Kharar, District Ropar, for setting up of Industrial Focal Point, Chanalon. The Land Acquisition Collector (for short, 'the Collector') vide award No.2 dated 21.9.1992 assessed the market value of the acquired land at the following rates:-

<i>Sr. No.</i>	<i>Kind of land</i>	<i>Compensation assessed in ₹</i>
1.	Chahi	1,78,078/- per acre
2	Barani	1,33,536/- per acre
3	Banjar	89,024/- per acre
4	Gair mumkin	44,512/- 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 vide award dated 18.12.1997, determined the market value of the acquired land as under:-

<i>Sr. No.</i>	<i>Kind of land</i>	<i>Compensation assessed in ₹</i>
1	Chahi	2,22,560/- per acre
2	Barani	1,66,920/- per acre
3	Banjar	1,11,280/- per acre
4	Gair mumkin	55,640/- per acre

It is this award of the learned court below which is under challenge before this court.

Learned counsels for the State and PSIEC very fairly submitted that the issues involved in the present set of appeals are squarely covered by judgment of this court in RFA No. 2801 of 2005 Punjab Small Scale Industries and Export Corporation vs Bhajan Singh and others, decided on 8.12.2008, whereby the amount of compensation for the acquired land was further enhanced.

Since this court has already enhanced the compensation, the claim of the PSIEC for reduction does not survive. Accordingly, for the reasons recorded in Bhajan Singh's case (supra), the appeals filed by PSIEC are dismissed and the appeal filed by the landowners is disposed of in the same terms.

26.11.2015

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(Rajesh Bindal)
Judge