

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

RFA No.2753 of 1999 (O&M)

Date of decision: 31.8.2015

Gian Singh and others

..... Appellants

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Kuldip Sanwal, Advocate, for the appellants.

Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

RAJESH BINDAL, J

This order will dispose of a bunch of appeals bearing RFA Nos. 2753, 2754, 2756 of 1999, 690 to 693 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, whereby, the State is in appeal seeking reduction thereof.

Briefly the facts are that vide notification dated 16.12.1993, issued under Section 4 of the Act, the State of Punjab sought to acquire land situated within the revenue estate of village Gurah, Tehsil Pathankot, District Gurdaspur, for construction of Shahpur Kandi Hydel Channel. The same was followed by notification dated 31.3.1994, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide his award dated 9.5.1996, assessed the market value of the acquired land @ ₹ 30,000/- 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 24.5.1999, determined the market value of the acquired land @ ₹ 1,000/- per marla. This award has been impugned before this Court.

Learned counsel for the landowners submitted that the claim made in the present set of appeals is squarely covered by judgment of this Court

passed in RFA No.4525 of 2001 Thuru Ram v. State of Punjab and others, decided on 16.3.2009, wherein compensation for the land acquired in the year 1993 for the same purpose in the same area was assessed @ ₹ 1,754/- per marla.

Learned counsel for the State did not dispute the aforesaid fact.

Accordingly, for the reasons recorded in Thuru Ram's case (supra), the appeals filed by the State are dismissed and that of the landowners are disposed of in the same terms.

(RAJESH BINDAL)
JUDGE

31.8.2015

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