

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

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RFA No.2755 of 1999

DATE OF DECISION: March 17, 2015.

Jarnail Singh and others

....Appellants.

VERSUS

State of Punjab and others

....Respondents.

CORAM : HON'BLE MRS. JUSTICE SABINA

Present: Mr. B.R. Gupta, Advocate
for the appellants.

Ms. Monika Chhibar Sharma, DAG, Punjab.

SABINA, J.

Learned counsel for the appellants has submitted that the present appeal is covered by the decision given by this Court in RFA No.4525 of 2001, decided on 16.03.2009 titled as “**Thuru Ram Vs. State of Punjab and others**”.

Learned State counsel, on the other hand, has submitted that the notifications under Section 4 of the Land Acquisition Act 1894 (in short 'the act'), in both the cases were different.

So far as Thuru Ram's case (Supra) is concerned, in the said case the land measuring 23.83 acres in Village Jugial and Rajpura was acquired for construction of Shahpur Kandi Hydrel Channel, vide notification under Section 4 of the Act, issued on 12.01.1990. In the present case, the land situated in Village Gurah was acquired for construction of

Shahpur Kandi Hydel Channel vide notification dated 09.05.1996. Thus, the purpose of acquisition in the present case as well as in the Thuru Ram's case (Supra) was the same.

Accordingly, this appeal is disposed of in terms of the decision given by this Court in Thuru Ram's case (Supra).

**(SABINA)
JUDGE**

March 17, 2015.
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