

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

RFA No.3194 of 1999 (O&M)

Date of decision: 16.9.2015

Punjab State and others

..... Appellants

Versus

Kartar Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

Mr. Viney Saini, Advocate for

Mr. G.S. Nagra, Advocate, for respondent No.1.

RAJESH BINDAL, J

The State is in appeal seeking reduction in the amount of compensation awarded to the landowners.

Briefly the facts are that vide notification dated 17.3.1994, 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 village Kot Adial, Tehsil Pathankot, District Gurdaspur, for construction of Shahpur Kandi Dam Project. The same was followed by notification dated 15.6.1994, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide his award dated 29.8.1996, assessed the market value of the acquired land @ ₹ 50,000/- per acre for Chahi land; ₹ 32,000/- per acre for Bagicha Dom and Barani-I land; ₹ 30,000/- per acre for Barani-II type land and ₹ 4,000/- per acre for Gair Mumkin Darya land. 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 6.5.1999, determined the market value of the acquired land @ ₹ 1,000/- per marla for all kinds of land. This award has been impugned in the present appeal.

Learned counsel for the landowner submitted that compensation for the land acquired vide same notification, was further enhanced in a cross

appeal filed by the landowners, which was disposed of vide order dated 4.3.2015 in RFA No.2921 of 1999—Kartar Singh and others v. State of Punjab and others in terms of the judgment of this Court in RFA No.4525 of 2001 Thuru Ram v. State of Punjab and others, decided on 16.3.2009.

Learned counsel for the State did not dispute the aforesaid factual position.

Since, this Court had already enhanced compensation for the acquired land, nothing survives in the present appeal. For the reasons recorded in Kartar Singh's case (supra), the present appeal is dismissed.

(RAJESH BINDAL)
JUDGE

16.9.2015

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