

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

RFA No. 2481 of 2001 (O&M)

Date of decision : 26.8.2015

Khushia Ram

..... Appellant

VS

State of Punjab and others

.... Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. R. S. Manhas, Advocate, for the appellants.

 Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

Rajesh Bindal J.

 This order will dispose of RFA Nos. 2481 to 2487 of 2001, as the same arise out of common acquisition.

 The landowners are in appeal against the award of the learned court below seeking further enhancement of compensation for the superstructures existing on the acquired land.

 Briefly, the facts are that the land situated in village Kot Khas, Tehsil Pathankot, District Gurdaspur along with trees and superstructures, was acquired by the State Government vide notification dated 16.6.1994 issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') for construction of Hydel channel. Notification under Section 6 of the Act was issued on 28.10.1994. The Land Acquisition Collector (for short, 'the Collector') vide award dated 4.12.1996 assessed the market value of the superstructure existing thereon on the basis of value assessed by the officials of the concerned department. Aggrieved against the award of the Collector, the land owner filed objections. On reference, the learned Court below awarded increase @ 25% on the value of superstructure as has been assessed by the Collector. It is this award of the learned Reference Court which is impugned in the present set of appeals.

In the present set of appeals, the court below has granted increase @ 25% on the value of superstructure as has been assessed by the Collector, which is in conformity with the judgments of this Court such as RFA No. 727 of 2001—Narinder Singh vs Union Territory, Chandigarh, decided on 4.2.2009, RFA No. 3921 of 2007—Arunash Chander Kaushik and others vs Union Territory, Chandigarh, decided on 10.2.2009, RFA No. 3004 of 2006—Surjit Singh vs State of Punjab and another, decided on 2.3.2009 and R.F.A. No. 2804 of 2008- Joginder Singh vs Union Territory, Chandigarh, decided on 10.3.2010. No case for interference is made out. Accordingly, the appeals are dismissed.

26.8.2015
vs.

(Rajesh Bindal)
Judge