

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

RFA No. 4618 of 2001 (O&M)

LAC No. 334 of 24.2.1997

Date of decision : 5.11.2015

Surinder Pal Kochhar and another

.. Appellants

versus

Union Territory, Chandigarh

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Ms. Ekta Thakur, Advocate, for the landowners.

Mr. Vishal Sodhi, Advocate, for U. T. Chandigarh.

Rajesh Bindal, J.

This order will dispose of RFA Nos. 4618 of 2001, and 3226 to 3228 of 2002, as the same arise out of common acquisition.

By filing appeal, the landowners are seeking enhancement of compensation for the acquired land, whereas by filing appeals, the U. T. Chandigarh, is seeking reduction thereof.

Briefly, the facts are that vide notification dated 3.12.1991, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), the Chandigarh Administration sought to acquire land situated in the revenue estate of Mani Majra, Union Territory, Chandigarh, for link road, Panchchkula from Railway Station, Chandigarh. Notification under Section 6 of the Act was issued on 18.3.1992. The Land Acquisition Collector (for short, 'the Collector') vide award no.455 dated 29.4.1992 assessed the market value of the acquired land @ ₹ 2,00,000/- per acre. Dissatisfied with the award of the Collector, the landowners filed objections. On reference, the learned court below determined the market value of the acquired land @ ₹ 4,35,600/- per acre. This award has been impugned in the present set of appeals by both the parties.

Learned counsel for the landowners submitted that the issue raised in the present set of appeals is squarely covered by judgment of this Court in RFA No. 1920 of 2004 Union Territory, Chandigarh vs Puran

Chand Gupta and others decided on 15.3.2010, whereby the compensation for the land acquired vide notification dated 31.1.1992 was assessed @ ₹ 196/- per square yard. She further submitted that the land pertaining to both the acquisitions is located closed by, hence, same amount of compensation deserves to be granted to the landowners, herein as well.

Learned counsel for U. T. Chandigarh did not dispute the aforesaid factual position.

Accordingly, for the reasons recorded in Puran Chand Gupta's case (supra), the present set of appeals are disposed of in the same terms.

5.11.2015
vs

(Rajesh Bindal)
Judge