

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

RFA No. 5079 of 2001 (O&M)
Date of decision : 6.11.2015

Prem Singh and another

... Appellants

VS

Union of India

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Maninder Arora, Advocate, for the appellants.

Rajesh Bindal, J.

This order will dispose of two appeals bearing RFA Nos.5079 of 2001 and 3439 of 2002, as common questions of law and facts are involved therein.

By filing the appeals, the landowners are seeking enhancement of compensation for the acquired land.

Briefly, the facts of the case are that vide notification dated 12.6.1989, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), Chandigarh Administration, sought to acquire land in village Manimajra, U.T., Chandigarh for extension of Indira Colony in Manimajra. It was followed by notification under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award No. 412 dated 22.12.1989, assessed the market value of the acquired land @ ₹ 1,65,000/- per acre. Dissatisfied with the award of the Collector, the land owners filed objections. On reference under Section 18 of the Act, the learned court below vide award dated 24.3.2001, while relying upon the judgment of this Court in RFA No.2879 of 1998-- Union of India v. Yad Ram and others, decided on 27.5.1999, assessed the market value of the acquired land @ ₹ 3,01,315/- per acre, instead of ₹ 1,65,000/- per acre. It is

this award which has been impugned by the landowners in the present appeals.

Since, the learned reference court had already awarded compensation to the landowners in terms of the judgment of this Court in Yad Ram's case (supra), which attained finality, no case for further enhancement is made out.

Accordingly, the appeals are dismissed.

(Rajesh Bindal)
Judge

6.11.2015

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