

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

RFA No. 1812 of 2004 (O&M)

Date of decision : 26.5.2015

Chandigarh Administration	.. Appellant
versus	
Gurjit Singh	.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Vishal Sodhi, Advocate, for the appellant.

Rajesh Bindal, J.

Chandigarh Administration is in appeal before this court against the award of the learned court below passed under Section 18 of the Land Acquisition Act, 1894 (for short, 'the Act') seeking reduction of compensation awarded to the landowner for the acquired land.

Briefly, the facts of the case are that vide notification dated 19.10.1989, issued under Section 4 of the Act, land situated in the revenue estate of Village Manimajra, U. T. Chandigarh, was acquired for development as residential-cum-commercial complex, Scheme No. 2 (Pocket No. 6), Manimajra. The same was followed by notification dated 18.10.1989, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector') assessed the market value of the land @ ₹ 1,65,400/- per acre. The land owners feeling dissatisfied with the quantum of compensation awarded by the Collector, filed objections. On reference under Section 18 of the Act, the learned court below determined the market value of the acquired land @ ₹ 4,35,600/- per acre. It is this award which is impugned in the present appeal by the Chandigarh Administration.

It is not disputed by learned counsel for the appellant that the claim made in the present appeal is squarely covered by judgment of this court in RFA No. 1789 of 2000 Kamla Rani and others vs U. T. Chandigarh, decided on 30.1.2009, wherein the compensation for the land acquired vide same notification was further enhanced.

Since the amount of compensation has further been enhanced by this Court in Kamla Rani's case (supra), the appeal filed by the Chandigarh Administration for reduction does not survive. Accordingly, for the reasons recorded in Kamla Rani's case (supra), the present appeal is dismissed.

26.5.2015
vs

(Rajesh Bindal)
Judge