

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

RFA No.2053 of 2004 (O&M)

Date of decision: 25.5.2015

Manmohan Lal Gupta

..... Appellant

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Ramandeep Singh, Advocate, for
Mr. Ashish Grover, Advocate, for the landowner.

RAJESH BINDAL, J

The landowner is before this Court seeking enhancement of compensation for the acquired land.

Briefly, the facts are that vide notification dated 30.11.1992, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), State of Punjab sought to acquire land situated within the revenue estate of village Bhikhi, Tehsil and District Mansa for establishment of new grain market. The same was followed by notification issued under Section 6 of the Act dated 25.11.1993. The Land Acquisition Collector (for short, "the Collector") vide award dated 18.7.1994 assessed the market value of the acquired land @ ₹ 45,019/- per acre for Nehri and ₹ 59,378/- per acre for Gair Mumkin kind of land and also awarded compensation for the superstructure existing thereon. Dissatisfied with the award of the Collector, the landowner filed objections. On reference, the learned court below determined fair market value of the acquired land as under:-

First lot (adjoining to the main road) ₹ 140/- per square yard.

Second lot (adjoining to it) ₹ 120/- per square yard

Third lot (at the end of acquired land from the main road)

₹ 100/- per square yard

It is this award which is impugned by the landowner before this court.

Learned counsel for the appellant very fairly submitted that the issue raised in the present appeal is squarely covered by judgment of this Court in RFA No. 2082 of 2004-- State of Punjab and another v. Mithu Singh and others, decided on 15.7.2009, vide which this Court has reduced the compensation for the acquired land.

Since this Court had reduced the compensation for the land acquired vide same notification in Mithu Singh's case (supra), the claim of the landowner for enhancement of compensation does not survive. Accordingly, for the reasons recorded in Mithu Singh's case (supra), the present appeal is dismissed.

(RAJESH BINDAL)
JUDGE

25.5.2015

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