

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

R.F.A No. 3190 of 2007 (O&M)

Date of decision : 4.11.2015

Union Territory, Chandigarh

..... Appellant

VS

Gurmit Kaur alias Malkiat Kaur

.... Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Deepak Sharma, Advocate, for the appellant.

None for the landowner.

Rajesh Bindal J.

The Union Territory is in appeal seeking reduction of compensation for the acquired land.

Briefly, the facts are that vide notification dated 4.5.2000, issued under Section 4 of the Land Acquisition Act, 1894 (for short 'the Act'), the Union Territory, Chandigarh, sought to acquire land measuring 116.231 acres, situated in villages Kajheri and Nizampur Kumbran and adjoining land. The same was followed by notification issued under Section 6 of the Act. The Land Acquisition Collector (for short 'the Collector'), vide his award dated 21.3.2003, assessed the value of the acquired land @ ₹ 13,05,776/- per acre for Chahi, Barani, Gair Mumkin and Banjar Qadim kinds of land and @ ₹ 5,44,075/- per acre for Gair Mumkin Khadaan and Choe etc land situated in village Kajheri. Aggrieved against the same, the land owner filed objections which were referred to the learned Additional District Judge, Chandigarh, who keeping in view the material placed on record by the parties, determined the market value of the acquired land @ ₹ 16,40,450/- per acre.

Learned counsel for the appellant very fairly submitted that the claim made in the present appeal is squarely covered by judgment of this Court in RFA No. 4238 of 2006-- Mrs. Avtar Sachdev and others vs Union Territory, Chandigarh, decided on 2.4.2009, whereby compensation

for the acquired land was further enhanced.

Accordingly, for the reasons recorded in Mrs. Avtar Sachdev's case (supra), the present appeal is dismissed.

4.11.2015

sharmila

(Rajesh Bindal)

Judge