

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

RFA No.2402 of 2008 (O&M)

Date of Decision: 4.9.2015

Union Territory, Chandigarh

...Appellant

Versus

Parmal Singh and others

.....Respondents

CORAM: Hon'ble Mr. Justice Rajesh Bindal

Present: Ms. Alka Chatrath, Advocate, for the appellant.

Mr. P.C. Dhiman, Advocate, for the appellant
in RFA No.5614 of 2008 and
for cross-objectors/respondents No.1 to 16
in RFA No.1011 of 2009.

RAJESH BINDAL, J.

This order will dispose of three appeals bearing RFA Nos.2402, 5614 of 2008 and 1011 of 2009 and Cross-objections No.124-CI of 2009, as common questions of law and facts are involved therein.

By filing appeals, Union Territory, Chandigarh is seeking reduction of compensation for the acquired land, whereas, by filing appeal and cross-objections, the landowners are seeking enhancement thereof.

Briefly, the facts are that vide notification dated 21.7.1999, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), Union Territory, Chandigarh sought to acquire 0.625 acres of land situated within the Hadbast No. 14, Village Dadumajra, Chandigarh, for Rehabilitation colony in West of Sector 38, Chandigarh and major institutional purpose. The same was followed by notification dated 25.01.2000, issued under Section 6 of the Act. The Land Acquisition Collector vide his award dated 25.9.2001 assessed the market value of the acquired land @ ₹ 7,46,888.88 per acre. Dissatisfied with the award of the Collector, the landowners filed objections. On reference under Section 18 of the Act, the learned court below vide awards dated 24.1.2008 and 9.5.2008,

determined the market value of the acquired land @ ₹ 14,96,000/- per acre and vide award dated 11.2.2008, subject matter of appeal in RFA No.5614 of 2008, determined the value @ ₹ 14,98,694/- per acre. These awards have been challenged by the U.T., Chandigarh and the landowners in the present appeals and cross-objections.

Learned counsel for the landowners submitted that the claim made in the present set of appeals and cross-objections is squarely covered by the judgment of this Court passed in RFA No. 5774 of 2008 titled as Parmal Singh and others v. Union Territory, Chandigarh, decided on 7.9.2010, whereby compensation for the land acquired vide same notification was assessed @ ₹ 22,61,660/- per acre.

For the detailed reasons recorded in Parmal Singh's case (supra), no case for reduction of compensation is made out. Accordingly, the appeals filed by Union Territory, Chandigarh are dismissed and the appeal as well as the cross-objections filed by the landowners are disposed of in the same terms.

(RAJESH BINDAL)
JUDGE

4.9.2015

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