

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

CWP No.20710 of 2015

Date of Decision: 28.9.2015

Kishori Lal

.....Petitioner

versus

State of Punjab and others

....Respondents

**CORAM:- HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MRS. JUSTICE RAJ RAHUL GARG**

Present: Mr. R.S.Minhas, Advocate for the petitioner.

HEMANT GUPTA, J. (Oral)

The petitioner seeks compensation for the super structure in the present writ petition. The award dated 8.6.2011 was announced in respect of land measuring 19 marlas of the petitioners. The petitioner asserts that there was super structure over the said land but in the award, no compensation was awarded by observing that no super structure will be acquired. Admittedly, the petitioner has sought a Reference under Section 18 of the Land Acquisition Act, 1894 claiming enhancement of compensation.

Grievance of the petitioner is that since no compensation has been awarded in respect of super structure, therefore, the petitioner cannot claim any compensation in respect of super structure in the reference filed.

We do not find any merit in the said argument. Once the petitioner is before the Reference Court, he is not as entitled to claim enhanced compensation

but also not granting any compensation for the super structure. The petitioner is at liberty to raise demand for super structure in accordance with law before the Reference Court.

Disposed of.

(Hemant Gupta)
Judge

(Raj Rahul Garg)
Judge

28.9.2015

Meenu