

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

RFA No. 4726 of 2013 (O&M)
Date of decision : 6.11.2015

Sahib Singh

... Appellant

VS

State of Punjab and another

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Vijay Lath, Advocate,
Mr. Manoj Pundir, Advocate for
Mr. Naresh Kaushal, Advocate,
Mr. Rajesh Goyal, Advocate for
Mr. Pritam Saini, Advocate and
Mr. Tapan Yadav, Advocate for
Mr. Jai Vir Yadav, Advocate, for the landowners.

Mr. Rakesh Gupta, Advocate and
Mr. Karan Gupta, Advocate, for the GMADA.

Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

Rajesh Bindal, J.

This order will dispose of a bunch of appeals bearing RFA Nos.4726, 4880 to 4897, 4988, 7697 of 2013, 8531 and 8532 of 2014 and Cross-objections No.26-CI of 2014, 35-CI of 2015 and 153-CI of 2015, as common questions of law and facts are involved therein.

By filing the appeals as well as cross-objections, the landowners are seeking enhancement of compensation for the acquired land, whereas, by filing appeals Greater Mohali Area Development Authority (for short 'GMADA') is seeking reduction thereof.

Briefly, the facts of the case are that the State of Punjab vide notification dated 12.11.1992, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), sought to acquire land in the revenue estate of villages Kumbra and Mandauli, Tehsil Kharar, District

Ropar (now Mohali) for setting up of residential Urban Estate. It was followed by notification dated 21.7.1993, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector') vide award No.451 dated 22.2.1995 assessed the market value of the acquired land. Dissatisfied with the award of the Collector, the land owners filed objections. On reference under Section 18 of the Act, the learned court below vide award dated 5.9.2012, dismissed the references. It is this award which has been impugned in the present set of appeals by the parties.

Learned counsel for the landowners submitted that the issue raised in the present set of appeals is squarely covered by judgment of Hon'ble the Supreme Court in Civil Appeal No. 331 of 2014 --Paramjit Panag and others vs State of Punjab, decided on 15.1.2014.

Learned counsel for GMADA did not dispute the aforesaid factual position.

For the reasons recorded in Paramjit Panag's case (supra), the appeals and cross-objections filed by the landowners are disposed of in the same terms and the appeals filed by the GMADA are dismissed.

(Rajesh Bindal)
Judge

6.11.2015

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