

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

RFA No. 4836 of 2013 (O&M)

Date of decision : 1.9.2015

Chander Kanta Bhalla (deceased) through LR's and others .. Appellants

versus

The State of Punjab and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Prateek Mahajan, Advocate, for the appellants.

Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

Mr. Sudesh Sahi, Advocate, for respondent no. 8.

Rajesh Bindal J.

The landowners have filed the present appeal against the award of the learned court below passed under Section 18 of the Land Acquisition Act, 1894 (for short, 'the Act') seeking enhancement of compensation for the acquired land.

Briefly, the facts of the case are that State of Punjab, vide notification dated 29.6.1989 issued under Section 4 of the Act, sought to acquire land of Villages Goindwal, Jhander Kalan and Khak, Tehsil Tarn Taran, District Amritsar, for construction of Nucleus Industrial Complex, Goindwal. Notification under Section 6 of the Act was issued on 3.1.1989. The Land Acquisition Collector assessed compensation of the acquired land @ ₹ 40,000/- per acre for chahi/ nehri, ₹ 20,000/- per acre for barani, ₹ 7,000/- per acre for banjar kadim, and ₹ 15,000/- per acre for gair mumkin kinds of land. The landowners feeling dissatisfied with the amount of compensation awarded by the Collector, filed objections, which were referred to the learned Reference Court, who keeping in view the material placed on record by the parties, assessed the market value @ ₹ 1,60,000/-

per acre for chahi/ nehri, ₹ 80,000/- per acre for barani, ₹ 28,000/- per acre for banjar kadim, and ₹ 60,000/- per acre for gair mumkin kinds of land. It is this award which is impugned in the present appeal.

Learned counsel for the appellants submitted that the issue involved in the present appeal is squarely covered by judgment of this Court in RA No. 99/CI of 2014 in RFA No. 4241 of 2006 Vijay and another vs State of Punjab and others, decided on 27.2.2015, whereby the compensation for the acquired land was assessed @ ₹ 110/- per square yard.

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

For the reasons mentioned in Vijay's case (supra), the present appeal is disposed of in the same terms.

1.9.2015
vs.

(Rajesh Bindal)
Judge