

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

RFA No. 5430 of 2013 (O&M)
LAC No. 93 of 2003/ 56 of 2011
Date of decision : 29.9.2015

Garib Singh and others

.. Appellants

vs

Union Territory, Chandigarh

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Hardip Singh, Advocate, for the appellants.

Ms. Alka Chatrath, Advocate, for the respondent.

Rajesh Bindal, J.

This order will dispose of RFA Nos. 5430 to 5434 and 5668 of **2013**, as the same arise out of common acquisition.

By filing appeals, the landowners are seeking enhancement of compensation for the acquired land.

Briefly, the facts are that vide notification dated 23.12.1999, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), Union Territory, Chandigarh sought to acquire land of villages, namely, Dhanas and Sarangpur, for the purpose of setting up Chandigarh Botanical Garden. The same was followed by notification dated 14.3.2000, issued under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector'), vide award no.550 dated 8.3.2002, assessed the marked value of the acquired land of village Sarangpur @ ₹ 9,70,898/-, except Gair Mumkin Nadi, Nala, Riverbed, Choe, Khadan etc., for which the value was assessed @ ₹ 2,79,538/- per acre and ₹ 5,32,886/- per acre for the land of village Dhanas. On reference under Section 18 of the Act, the learned court below assessed the market value of the acquired land of both the villages @ ₹ 17,57,400/- per acre. It is this award, which has been impugned in the present set of appeals by the landowners.

Learned counsel for the appellants very fairly submitted that the claim made in the present set of appeals is squarely covered by judgment of this court in RFA No. 2025 of 2009 Shri Kanwaljit Singh Mujral and another vs Union Territory, Chandigarh, decided on 17.8.2015, whereby the award of the learned court below assessing compensation @ ₹ 17,57,400/- per acre was upheld.

Since the award of the learned court below is in consonance with the judgment of this Court in Shri Kanwaljit Singh Mujral's case (supra), no case for enhancement is made out. Accordingly, for the reasons recorded in Shri Kanwaljit Singh Mujral's case (supra), the present appeals are dismissed. Consequently, the applications for condonation of delay in filing the appeals are also dismissed.

29.9.2015
vs.

(Rajesh Bindal)
Judge