

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

RFA No. 2177 of 2015 (O&M)

Date of decision : 9.10.2015

Greater Mohali Area Development Authority ... Appellant

vs

Buta Singh and another .. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Harit Sharma, Advocate, for the appellant.

Rajesh Bindal, J.

Greater Mohali Area Development Authority (for short "GMADA") is in appeal seeking reduction of compensation for the acquired land.

Briefly, the facts of the case are that State of Punjab vide notification dated 25.11.2004, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') sought to acquire land situated in village Sohana, Hadbast No.35, Tehsil and District SAS Nagar Mohali for setting up/ development of Urban Estate (Residential) in the area of SAS Nagar Mohali. The Land Acquisition Collector (for short, 'the Collector'), assessed the market value of the acquired land. Aggrieved against the award of the Collector, the landowners filed objections which were referred to the learned court below, who keeping in view the material placed on record by the parties, assessed the compensation for the acquired land @ ₹ 26,70,000/- per acre. The same has been impugned by the GMADA before this Court. Along with the appeal, applications seeking condonation of delay of 253 days in filing and 194 days in re-filing the appeal, have also been filed.

It is not disputed that against the earlier award of the reference court dated 20.12.2007 Ex.P1 pertaining to the same acquisition, which has been relied by the learned court below for assessment of compensation in

the case in hand, no appeal has been filed by the GMADA.

Once, the earlier award pertaining to the same acquisition has been accepted by the GMADA, the present appeal impugning subsequent award cannot be entertained in the absence of valid reason. Accordingly, the appeal is dismissed. Consequently, the accompanying applications are also dismissed.

9.10.2015

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(Rajesh Bindal)

Judge