

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

RFA No. 2384 of 2014 (O&M)

LAC No. 42 of 2011

Date of decision : 12.10.2015

Balbir Singh

.. Appellant

versus

Land Acquisition Collector-cum- Collector,
Ferozepur and another

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Nakul Sharma, Advocate, for the appellants.

Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

Rajesh Bindal, J.

This order will dispose of RFA Nos. 2384 to 2392 of **2014**, 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 19.2.2009, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), the State of Punjab sought to acquire land situated in the revenue estates of village Dholewala, Tehsil and District Ferozepur, for public purpose. It was followed by notification under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector') assessed the market value of the acquired land. The landowners filed petitions under Section 18 of the Act before the learned Court below, which were dismissed. Now the landowners are before this Court.

In the present case, it has not been disputed by learned counsel for the appellants that the application under Section 18 of the Act was filed by them directly in the Court below and no objections were filed before the Collector for referring the same to the Court. In terms of the provisions of

Section 18 of the Act, the objections are to be filed before the Collector, which in turn is to refer the same to the Court. The plea sought to be raised by learned counsel for the appellants that the objections were not entertained by the Collector, cannot be accepted as such. In fact, no such plea was raised in pleadings. The learned Court below observed that such a plea was sought to be taken only at the time of arguments. There is nothing on record to suggest that the plea sought to be raised by the appellants was correct. There is no error in the order passed by the learned Court below in dismissing the objections filed by the appellants as not maintainable.

The appeals are dismissed. Consequently, the applications are also dismissed.

12.10.2015
vs

(Rajesh Bindal)
Judge