

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

RFA No. 998 of 2015 (O&M)

Date of decision : 16.11.2015

Greater Mohali Area Development Authority

..... Appellant

VS

Pritam Kaur and another

.... Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Kamaljeet S. Mamrat, Advocate, for the appellant.

Rajesh Bindal J.

This order will dispose of RFA Nos. 998 to 1002 of 2015, as the same arise out of common acquisition.

Greater Mohali Area Development Authority is in appeal against the award of the learned court below seeking reduction of compensation awarded to the landowners for the super-structures existing on the acquired land.

Briefly, the facts are that the land situated in village Mataur, Tehsil and District Mohali along with trees and superstructures, was acquired by the State Government vide notification issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') for public purpose. It was followed by notification under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector') vide supplementary award dated 16.7.2004 assessed the market value of the superstructure existing on the acquired land. Aggrieved against the award of the Collector, the land owners filed objections. On reference, the learned Court below awarded increase @ 25% on the value of superstructure as has been assessed by the Collector. It is this award of the learned Reference Court which is impugned in the present set of appeals by the Greater Mohali Area Development Authority.

In the present set of appeals, the court below has granted increase @ 25% on the value of superstructure as has been assessed by the Collector, which is in conformity with the judgments of this Court such as RFA No. 727 of 2001—Narinder Singh vs Union Territory, Chandigarh, decided on 4.2.2009, RFA No. 3921 of 2007—Arunash Chander Kaushik and others vs Union Territory, Chandigarh, decided on 10.2.2009, RFA No. 3004 of 2006—Surjit Singh vs State of Punjab and another, decided on 2.3.2009 and R.F.A. No. 2804 of 2008- Joginder Singh vs Union Territory, Chandigarh, decided on 10.3.2010. No case for interference is made out. Accordingly, the appeals are dismissed.

16.11.2015
vs.

(Rajesh Bindal)
Judge