

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

RFA No. 9424 of 2014 (O&M)

Date of decision : 11.12.2015

Manjit Kaur and others	vs	 Appellants
State of Punjab and another		 Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Mohit Jaggi, Advocate, for the landowners in
RFA No. 9424/2014.

Mr. Kamaljeet S. Mamrat, Advocate, for GMADA in
RFA Nos. 1004, 1010, 2132 and 2133/2015.

Mr. Rakesh Gupta, Advocate, for GMADA in
RFA No. 9424/2014.

Rajesh Bindal J.

This order will dispose of RFA Nos. 9424 of 2014, 1004, 1010, 2132, and 2133 of 2015, as the same arise out of common acquisition.

The landowners are in appeal seeking enhancement of compensation for the acquired land, whereas by filing appeals, Greater Mohali Area Development Authority is seeking reduction thereof.

Briefly, the facts of the case are that vide notification dated 21.2.2000, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), the State of Punjab sought to acquire land situated within the revenue estate of village Sohana, Hadbast No.35, Tehsil and District Mohali, for setting up of residential Urban Estate, SAS Nagar Mohali. It was followed by notification under Section 6 of the Act. The Land Acquisition Collector (for short, 'the Collector') vide award no. 481 dated 17.5.2001, assessed the market value of the acquired land at ₹ 10,00,000/- per acre for the land falling on Chandigarh- Landran Road, ₹ 9,00,000/- per acre for chahi and ₹ 7,50,000/- per acre for barani kind of land. Dissatisfied with the award of the Collector, the landowners filed objections. On

reference, the learned Court below assessed the market value of the acquired land @ ₹ 19,85,700/- per acre. It is this award, which has been impugned in the present set of appeals by both the parties.

Learned counsel for the landowners submitted that issue raised in the present set of appeals is squarely covered by the judgment of Hon'ble the Supreme Court in Civil Appeal No. 331 of 2014 Paramjit Panag and others vs State of Punjab decided on 27.1.2014, whereby the compensation payable to the landowners was further enhanced @ ₹ 2,00,000/- per acre on what was assessed by this Court in RFA No. 3004 of 2006 Surjit Singh vs State of Punjab and another decided on 2.3.2009.

The contention sought to be raised by learned counsel for Greater Mohali Area Development Authority that in view of the observations made by Hon'ble the Supreme Court in order dated 15.1.2014, in Civil Appeal No. 367 of 2014 that the order passed is restricted to the parties before Hon'ble the Supreme Court, hence, the present landowners are not entitled to the benefits thereof is merely to be noticed and rejected as the present appeals pertained to the same acquisition which are pending before this Court. Hence, the present landowners also deserve to be granted the benefit of assessment of compensation by Hon'ble the Supreme Court pertaining to the same acquisition.

Since the compensation for the acquired land was further enhanced by Hon'ble the Supreme Court in Paramjit Panag's case (supra), the appeal filed by the Greater Mohali Area Development Authority do not survive. Accordingly, for the reasons recorded in Paramjit Panag's case (supra), the same are dismissed and the appeal filed by the landowners is allowed in the same terms.

11.12.2015
vs.

(Rajesh Bindal)
Judge