

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

CM-11503-2016 &
RFA No.1415 of 1994
Date of decision: 24.10.2016

Harinder Kaur and others

... Appellants

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Deepak Sharma, Advocate for the appellants.
Mr. KK Gupta, Addl. AG, Punjab.

ARUN PALLI J. (Oral)

CM-11503-CI-2016

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, the appeal is taken on board.

RFA-1415-1994

Learned counsel for the appellants submits that the matter in issue is squarely covered by the order and judgment, dated 19.01.2009, rendered by this court in RFA No.844 of 1993 [**Chanan Singh v. State of Punjab**] and other connected matters, vide which in the appeals arising out of the same acquisition, this court had enhanced the compensation awarded to the landowners to ₹ 64,000/- per acre. And, compensation on account of severance of the un-acquired land was also raised from 25% to 50% of the market value of the land.

However, he fairly submits that the appellants herein shall not be entitled to any compensation on account of severance, for neither any such plea was set out by the appellants before the reference court nor any

evidence in this regard was led. Naturally, therefore, nothing was awarded by the reference court on this account to the appellants.

The factual position, as set out above, is not disputed by learned State counsel.

Accordingly, the present appeal is disposed of in terms of the decision rendered by this court in Channan Singh's case (supra). Needless to assert, the appellants shall not be entitled to any compensation on account of severance.

October 24, 2016
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:

YES/NO

Whether Reportable:

YES/NO