

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

**CM No.16125 of 2015
and CWP No.4988 of 2010 (O&M)
Date of decision: 17.2.2016**

Jagjit Singh and others

.....Applicant/Petitioners

vs.

The Amritsar Improvement Trust, Amritsar and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE RAJ RAHUL GARG**

Present: Mr. A.P.S.Sandhu, Advocate for the applicant-petitioners.

Mr.G.S.Attariwala, Advocate for the Amritsar Improvement Trust.

Ajay Kumar Mittal,J.

1. This order shall dispose of CM Nos.16125, 16131 and 16139 of 2015 and CWP Nos.4988, 4986 and 4987 of 2010 respectively as learned counsel for the parties are agreed that the issue involved in all the cases is identical.

2. The applicant-petitioners have filed the above mentioned applications for disposing of the Writ petitions in terms of the order dated 7.3.2014 passed by this Court in CWP Nos.8357 and 7710 of 2009 (*Laxmi Arora and others vs. Amritsar Improvement Trust and others*) and (*Gobinder Singh (now deceased) through Lrs and others vs. The Amritsar*

Improvement Trust, Amritsar and others) respectively being similar and connected matters arising out of the same land acquisition proceedings and against the same reference order dated 17.3.2009 passed by the reference Court.

3. The facts in brief as narrated in CM No.16125 of 2015 in CWP No.4988 of 2010 may be noticed. The land of the petitioners was acquired by the Amritsar Improvement Trust for development of the scheme named as New Grain Market Scheme. The award was announced on 25.8.1975 against which various objections and references were filed under Section 18 of the Land Acquisition Act, 1894 (in short, “the Act”) by various land owners including the petitioners. A bunch of references was decided by the reference court vide order dated 17.3.2009. Against the said order, various land owners including the petitioners filed writ petitions in this court. These writ petitions were decided by this Court vide order dated 7.3.2014, Annexure A.1, modifying the order dated 17.3.2009 to the extent that the petitioners-landowners were entitled to increase of 12 percent over the market value of the land as mentioned in the sale deed dated 15.1.1969 which came to ₹ 350/- per marla. In addition, the petitioners-landowners were held entitled to the statutory benefits as per the amended provisions of the Act. However, the writ petition filed by the present petitioners remained pending unadjudicated. Consequently, the applicant-petitioners pray that the present applications may be allowed and their writ petitions may also be disposed of in terms of the order dated 7.3.2014 passed by this Court in ***Laxmi Arora*** and ***Gobinder Singh's*** cases (supra) and connected petitions.

4. We have heard learned counsel for the parties.

5. Learned counsel for the parties are agreed that the matter is covered by the decision of this Court dated 7.3.2014 rendered in ***Laxmi Arora*** and ***Gobinder Singh's*** cases (supra) and connected petitions. The operative part of the order dated 7.3.2014 reads thus:-

“In view of our discussion above, all these petitions are partly allowed. Impugned award dated 17.3.2009 is modified to the extent that the petitioners are allowed compensation @ rupees 350/- per marla with all admissible statutory benefits under the Land Acquisition Act, 1894.”

6. In view of the above, the Civil Miscellaneous Applications are allowed and the main writ petitions are disposed of in the same terms as in ***Laxmi Arora*** and ***Gobinder Singh's*** cases (supra).

(Ajay Kumar Mittal)
Judge

February 17, 2016
'gs'

(Raj Rahul Garg)
Judge