

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM No.4997-CI of 2016 in/and
RFA No.1788 of 2009
Date of Decision : 29.07.2016.

Ujjagar Singh

.....Applicant-Appellant

Versus

Punjab State through Land Acquisition Collector

..... Respondent

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Naresh Kaushal, Advocate for the applicant-appellant.

Mr. K.K.Gupta, Addl. A.G. Punjab.

ARUN PALLI, J. (Oral)

Learned counsel for the applicant-appellant submits that the matter in issue is squarely covered by an order, dated 22.03.2013, rendered by this Court in RFA No.2944 of 2005, Raghvir Singh VS. Punjab State, arising out of the same acquisition vide which this Court had awarded compensation, as regards superstructure, by averaging the two valuation reports; one proved by the claimants and the other submitted by the State. He submits that applicant-appellant proved the valuation report (Ex.PW-1/B), which valued the structure @ ₹2,50,319/-, whereas the report submitted by the Government evaluated the structure @ ₹1,79,220/-. Thus, he submits that averaging the valuation arrived at in both these reports, the applicant-appellant shall be entitled to ₹2,14,769/- as compensation.

Learned State counsel does not dispute the factual position as set out above.

That being so, with the consent of the parties, the main case is taken on board.

In the wake of the orders, dated 22.03.2013, Annexure A1 (RFA No.2944 of 2005) and 28.05.2015, Annexure A2 (RFA No.1632 of 2005), the applicant-appellant shall be entitled to ₹2,14,769/- as compensation on account of superstructure, with all the statutory benefits, as are admissible in law.

Appeal as also the application for disposal of main case stand disposed of.

29.07.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No