

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

CM-5000-CI-2016 &
RFA No.3294 of 2012
Date of decision: 27.07.2016

Surinder Singh and others

... Appellants

Versus

Punjab State

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Naresh Kaushal, Advocate for the appellants.
Mr. KK Gupta, Addl. AG, Punjab.

ARUN PALLI J. (Oral)

Learned counsel for the appellants submits that the matter in issue is squarely covered by order, dated 22.03.2013, rendered by this court in RFA No.2944 of 2005 - Raghvir Singh v. 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 appellants proved the valuation report (Ex.P2), which valued the structure @ ₹4,84,200/-, whereas the report submitted by the Government evaluated the structure @ ₹2,84,275/-. Thus, he submits that averaging the valuation arrived at in both these reports, the appellants are entitled to ₹3,84,237/- as compensation for the said structure.

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 appellants shall be entitled to ₹3,84,237/- as compensation on account of superstructure with all the statutory benefits, as are admissible to them.

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

July 27, 2016
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:

YES/NO

Whether Reportable:

YES/NO