

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RFA-635-1999 (O&M)
Date of Decision: July 05, 2017

Dharam Singh and others

...Appellants

Versus

State of Punjab and others

...Respondents

and other connected matters, i.e. RFA Nos. 636 to 653, 656 and 708 to 713, all of 1999.

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. R.S. Manhas, Advocate,
for the appellants.

Ms. Ruksaar Sandhu, Assistant Advocate General, Punjab,
for the respondents.

ARUN PALLI, J. (ORAL)

Vide this order, I shall decide a batch of 26 appeals that have been preferred by the claimant/land-owners. The facts that are required to be noticed are limited.

Vide notification, dated 01.02.1993, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), by the State of Punjab, a land situated in three different villages, such as Haroor, Rajpura and Barkula, was sought to be acquired for construction of Shahpurkandi Hydel Channel. The final declaration under Section 6 of the Act, was published on 17.09.1993. The Land Acquisition Collector vide award, dated 21.12.1995, assessed the acquired land on different rates in view of its nature and quality. Being dis-satisfied by the assessment and the compensation awarded by the Collector, the claimant/land-owners filed objections under Section 18 of the Act. Resultantly, the matter was referred

to the Civil Court for determination of the true value of the land under acquisition. The Reference Court vide award, dated 16.01.1998, evaluated the acquired land uniformly at Rs.1,000/- per marla. Both the parties preferred appeals against the award, dated 16.01.1998, before this Court. And, this Court decided all those appeals, except the matter in hand, vide order and judgment, dated 01.04.1999, rendered in RFA No. 1927 of 1992, titled “Punjab State and others v. Thuru Ram”, and remitted the matter to the Reference Court for re-decision. It would be apposite to point out here that even the cross-appeals filed by the State in these cases were also disposed of by setting aside the award made by the Reference Court and the matter was remanded. It appears that somehow these appeals still remained pending. On the other hand, pursuant to the order of this Court, dated 01.04.1999, the Reference Court re-decided the land references on 31.03.2001. And being dis-satisfied with the compensation awarded by the Reference Court, the claimant/land-owners as also the appellants in these appeals, filed appeals against the award, dated 31.03.2001. Not only this, the appeals filed by the claimant/land-owners even in the second round have since been decided by this Court vide order and judgment, dated 16.03.2009, rendered in RFA No. 4525 of 2001, titled “Thuru Ram v. State of Punjab and others”, and other connected matters. That being so, nothing survives in these appeals, which indeed are rendered infructuous.

Disposed of as having become infructuous.

(ARUN PALLI)
JUDGE

July 05, 2017
Pkapoor

Whether Speaking/Reasoned:
Whether Reportable:

YES / NO
YES / NO