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

Date of decision : 10.11.2017

**1. RA-CR No.329-CII of 2016 in
FAO No.1559 of 2014**

Palwinder Singh and others

... Review Applicants/Appellants

Versus

Union of India and others

... Respondent(s)

**2. RA-CR No.15-CII of 2017 in
FAO No.103 of 2014**

Surjit Singh and others

... Review Applicants/Appellants

Versus

Union of India and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Arun Bansal, Advocate
for the review applicants/appellants.

Mr. S.S. Narula, Advocate
for non-applicants/respondent Nos.1 and 2.

AMIT RAWAL, J. (ORAL)

This order of mine shall dispose of the aforementioned two review applications seeking review of the orders dated 17.11.2016, whereby this Court, while disposing of the aforementioned appeals preferred by the landowners, had set aside the Award of the Arbitrator and that of the

competent authority restored.

Learned counsel for the review applicants-appellants/landowners submits that due to inadvertence, the appeals bearing FAO No.1559 of 2014 & FAO No.103 of 2014 have been disposed of in terms of the order dated 22.01.2016 passed in **FAO No.3683 of 2013** titled as **“Sadhu Singh V/s S.K. Ladhar and others”**, whereby, the compensation awarded by the competent authority was @ ₹1,47,500/- per marla, which had been reduced by the Arbitrator to ₹1,00,000/- per marla, whereas the land of the review applicants/appellants/landowners is situated in Dasuya and for that a decision dated 03.02.2016 rendered in **FAO No.5098 of 2014** titled as **“Balbir Singh and another V/s Union of India and others”** shall be applicable, wherein the commercial rate @ ₹ 2,50,000/- per marla as assessed by the competent authority has been upheld, in essence, the award of the Arbitrator in reducing the commercial rate @ ₹ 1,60,000/- would not be in existence.

Mr. S.S. Narula, learned counsel appearing on behalf of non-applicants/respondent No.1 and 2/Union of India in the previous order had stated that the matter can be argued on the basis of the orders passed by this Court and as well as by the competent authority and no separate reply is required to be filed.

He submits that he does not controvert the fact that the land is pertained to Dasuya and the competent authority had assessed the compensation qua commercial rate @ ₹ 2,50,000/- per marla.

I have heard learned counsel for the parties and appraised the paper book and of the view that once this Court had already accepted the

compensation assessed by the competent authority qua commercial area @ ₹ 2,50,000/- per marla, the appeals bearing FAO No.1559 of 2014 & FAO No.103 of 2014, in question, ought to have been disposed of in terms of order dated 03.02.2016 passed in FAO-5098-2014 instead of order dated 22.01.2016 passed in FAO No.3683 of 2013.

Keeping in view the aforementioned facts, the orders 17.11.2016 are hereby modified and the appeals bearing FAO No.1559 of 2014 and FAO No.103 of 2014 are disposed of in terms of order dated 03.02.2016 passed in FAO-5098-2014 titled as “Balbir Singh and another V/s Union of India and others”.

Resultantly, the review applications are allowed in the aforementioned terms.

10.11.2017

Yogesh Sharma

(AMIT RAWAL)
JUDGE

✓

Whether speaking/reasoned Yes/ No

✓

Whether Reportable Yes/ No