

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

**CM-3552-CI-2019 in/and
RFA-1767-2017
Date of decision: 27.08.2019**

Tara Chand (deceased) th LRs & others

....Appellants

Versus

U.T., Chandigarh th. Land Acquisition Collector, Chandigarh ...Respondent

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.Davinder Lubana, Advocate, for the appellants.

Mr.Pankaj Jain, Sr.Standing Counsel
with Mr.Anil Mehta, Advocate, for the respondents.

G.S. SANDHAWALIA, J. (Oral)

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Application for disposal of the present appeal, being covered by judgment passed in RFA-2680-2012 titled *Ishar Singh Vs. Union Territory, Chandigarh*, decided on 11.02.2019, is allowed, in view of the averments made in the application, duly supported by affidavit.

Main case is taken up today itself.

CM stands disposed of.

RFA-1767-2017

The present appeal, filed under Section 54 of the Land Acquisition Act, 1894, is directed against the award of the Reference Court, Chandigarh, dated 30.11.2012, for the notification dated 01.10.2002, for which, the Land Acquisition Collector had passed award No.567/23.03.2004 and granted Rs.10,50,080/- per acre, for normal levelled land.

Mr.Davinder Lubana submits that the Reference Court relied

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upon the earlier award dated 21.09.2011, passed by it to grant Rs.24,14,555/-.

This Court, in Ishar Singh (supra), while dealing with the said set of appeals, for the 4 notifications, for the land falling in Manimajra, has granted Rs.26,02,807/- per acre along with all statutory benefits, for the notification dated 01.10.2002, in question. Relevant portion of the judgment reads as under:

“Conclusion:

53. Accordingly, the present appeals are allowed, in the following terms:

(i) Uniform compensation is granted, by modifying the awards dated 21.09.2011, 12.05.2012, 07.09.2012, 19.09.2012, 26.02.2013, 16.03.2013, 12.02.2015 and 09.10.2015, by awarding Rs.26,02,807/- per acre, for the notification dated 01.10.2002.

(ii) For the notification dated 20.02.2003, the market value is assessed @ Rs.35,71,200/- per acre.

(iii) For the notification dated 02.06.2004, the market value is assessed @ Rs.42,90,845.

(iv) Lastly, for the fourth notification dated 03.08.2007, the market value is assessed @ Rs.56,82,730/- per acre.

54. The Administration shall comply with the directions issued in '**HSI IDC Vs. Pran Sukh**' (2010) 11 SCC 175 and the above amount shall carry all the statutory benefits except as denied by the Reference Court qua the amount for the fruit bearing trees, non-fruit bearing trees, super-structures and tubewells.”

Resultantly, the present appeal is also allowed in the same terms.

27.08.2019
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No