

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

206

RFA-2305-2017 (O&M)

Date of Decision: 30.10.2019

Bimla Devi (since deceased) through her legal heirs and others

...Appellant

Versus

Punjab Urban Development Authority and others

... Respondents

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

Present:- Mr. Sunil Garg, Advocate, for the appellants.

Ms. Ambika Bedi, AAG, Punjab.

G. S. SANDHAWALIA, J.(Oral)

The present appeal filed under Section 54 of the Land Acquisition Act, 1894 (for short 'the Act') is directed against the Award dated 15.09.2012 passed by the Reference Court, Patiala, whereby for the notification dated 18.10.2002 issued under Section 4 of the Act, the market value was fixed @ ₹400/- per square yard for the land abutting the main road and the land falling under the second, third and fourth acres was assessed @ ₹225/-per square yard. The market value for the land falling after fourth acre had been assessed @ ₹150/- per square yard.

It is not disputed that this Court in **RFA No.991 of 2013 'Tarlochan Singh and another Vs. State of Punjab and another'** decided on 02.03.2016 had fixed the market value at a uniform rate of ₹1,418/- per square yard.

The matter was, thereafter, taken in appeal to the Apex Court by both the sides. Resultantly, the Apex Court vide judgment dated 24.10.2018 passed in **Civil Appeal No.18014 of 2017 'Patiala Urban Planning and Development Authority and another Vs. Tarlochan Singh**

and others' has maintained the amount of ₹400/- per square yard, but at a uniform basis, by modifying the judgment passed by this Court. The relevant portion of the said judgment read as under:-

“In the circumstances, we dispose of the appeals by determining the compensation at the uniform rate of Rs.400/- per sq. yard. for the entire land. Compensation to carry statutory benefits also. The same shall be paid to the landowners within four months from today. The amount that has already been paid shall be adjusted. This determination shall enure even for the benefit of all the landowners whose land had been acquired whether they have filed appeals or not.

The appeals are disposed of accordingly.”

Accordingly, the present appeal is also disposed of in the same terms.

OCTOBER 30, 2019
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No