



RFA-2706-2006

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

RFA-2706-2006

Date of decision: 23.03.2026

AMARJIT KAUR AND ORS

....Appellants

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Nitish Kaushal, Advocate
for the appellants.

Mr. Gunjan Mehta, Addl. A.G. Punjab.

HARKESH MANUJA, J (Oral):

1. By way of the present appeal, challenge has been laid by land owners/claimants to the award dated 02.03.2006 passed by the learned Additional District Judge, Rupnagar, (hereinafter referred to as 'the Reference Court), seeking enhancement of compensation qua land acquired and superstructure.

2. Briefly stating, 35 kanals of land situated in village Lodhipur, Tehsil Anandpur Sahib, District Rupnagar was acquired vide notifications dated 16.12.1998 and 18.06.1999 under Sections 4 and 6 of the Land Acquisition Act, 1894 (hereinafter referred to as the 1894 Act), respectively for the public purpose, namely, "*for setting up of the Khalsa Memorial Complex*" followed by the award dated 28.10.1999 passed by the Land Acquisition Collector (for short 'the LAC') fixing compensation at different rates depending on the land type.



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3. Being aggrieved of the LAC Award, the landowners filed objections under Section 18 of the Act, which were partly accepted and the market value was re-assessed at Rs.14,100/- per marla along with other statutory benefits under the 1894 Act. Dissatisfied with the assessment made by the learned Reference Court, the present appeal has been preferred.

4. It is not disputed that vide another contemporaneous notification dated 28.01.1999 issued under Section 4 of the 1894 Act land measuring 92 Kanals 4 Marlas situated in village Mataur, Tehsil Anandpur Sahib, District Rupnagar, was also acquired for the same public purpose, i.e. setting up of the Khalsa Heritage Memorial Complex. The notification under Section 6 of 1894 Act, was issued on 10.03.1999 followed by the Award dated 31.03.1999 passed by the LAC. The market value with respect to the said acquisition has been enhanced by this Court vide judgment dated 25.09.2017 passed in RFA-4447-2003 titled ***“Bhupinder Singh and others vs. State of Punjab”***, to Rs.34,500/- per marla, though Civil Appeal No.7446 of 2019 is pending before the Hon’ble Supreme Court, without there being any stay.

5. Since the acquisition in the present case has also been carried out for the same purpose and in close proximity in time to the acquisition involved in the aforesaid case; coupled with the fact that the Villages Mataur and Lodhipur are in same vicinity and adjacent to each other, the said judgment is fully applicable to the present case.

6. In view of the above facts and circumstances, the landowners in the present case are also held entitled to market value @ Rs.34,500/- per

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marla, in terms of the judgment passed by this Court in ***Bhupinder Singh's*** case (supra).

7. Further, wherever, the landowner(s) has/have unfortunately expired in the appeal(s)/ cross-objection(s) after filing thereof and the legal heirs have not been impleaded, they shall be at liberty to seek execution of the present decision by moving appropriate application(s) before the learned Executing Court.

8. Pending application(s), if any, shall also stand disposed of.

(HARKESH MANUJA)
JUDGE

23.03.2026
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| 1. Whether speaking/ reasoned : | Yes /No |
| 2. Whether reportable : | Yes /No |