
(1995) 10 SC CK 0057

In the Supreme Court Of India

Case No : Civil Appeal No's. 3055 of 1982, 10188 of 1983, 3040 of 1984 and 1986 of 1992

Kapurthala Improvement Trust, Punjab

APPELLANT

Vs

Land Acquisition Tribunal, Kapurthala and Others

RESPONDENT

Date of Decision : 31-10-1995

Acts Referred:

Punjab Town Improvement Act, 1922 — Section 36, 42

Citation : (1995) 8 JT 556 : (1995) 6 SCALE 272 : (1995) 6 SCALE 262 : (1995) 4 SCC 650 Supp : (1995) 4 SCC 650 : (1995) 4 SCR 612 Supp

Hon'ble Judges : K. Ramaswamy, J;B. N. Kirpal, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

1. Notification u/s 36 of the Punjab Town Improvement Act, 1922 was published on September 14, 1975 acquiring an extent of 124 Kanals 3 marias of the land in Kapurthala Town for Kapurthala Development Scheme No. 2. Notification u/s 42 of the Act was published on August 6, 1976. The Collector in his award dated October 12, 1976 classified the lands into three belts "A", "B" and "C" and granted compensation @ Rs. 300/-, Rs. 360/- and Rs. 210- per marla respectively. On reference u/s 18, the Tribunal by its award dated April 16, 1981 awarded uniform rate of compensation at Rs. 540/- per marla. When writ petitions came to be filed under Article 226, the Division Bench of the High Court by its common order on February 23, 1982 dismissem. Thus these appeals by special leave.

2. Shri S.K. Mehta, learned Counsel appearing for the Kapurthala Improvement Trust, contended that having rejected all the sale transactions, the Tribunal was not justified in awarding uniform market rate since the Collector made belting and that different rates were awarded by the Collector. We have seen the plan which would indicate that the lands are situated in a triangle bounded by roads on all the three sides. The lands are situated in developed area. In our

considered opinion, the Tribunal had not committed any error of law in determining the compensation for the acquired land. Therefore, the appeals of the Improvement Trust as well as of the claimants for further enhancement stand dismissed. No costs.