

(2011) 03 P&H CK 0463

In the Punjab And Haryana At Chandigarh

Case No : Regular First Appeal No. 2342 of 1989 (O and M)

Land Acquisition Collector

APPELLANT

Vs

Hari Singh and Another

RESPONDENT

Date of Decision : 18-03-2011

Acts Referred:

Land Acquisition Act, 1894 — Section 18, 4

Citation : (2011) 03 P&H CK 0463

Hon'ble Judges : Rajesh Bindal, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Rajesh Bindal, J.—This order shall dispose of appeals bearing RFA Nos. 2342 and 2345 of 1989, as the same arise out of common acquisition.

2. Punjab State Electricity Board has filed appeals before this Court against the award of the learned court below passed u/s 18 of the Land Acquisition Act, 1894 (for short, "the Act") seeking reduction of compensation for the acquired land.

3. Briefly, the facts of the case are that vide notification dated 9.1.1985 issued u/s 4 of the Act, the Appellant Board sought to acquire land including the land of Respondent No. 1 situated in village Narot Mehra, Tehsil Pathankot, District Gurdaspur, for construction of Power House No. 3 UBDC Stage-II, Project Malikpur (Pathankot). The Land Acquisition Collector (for short, the Collector) assessed the market value of acquired land @ Rs. 22,800/- per acre for chahi, nehri zamindari land and Rs. 10,611/- per acre for other kinds of land. Dissatisfied with the award of the Collector, the landowners filed objections. On reference u/s 18 of the Act, the learned Court below assessed the market value @ Rs. 22,800/- per acre for all kinds of acquired land. It is this award which is impugned in the present set of appeals.

4. It is not disputed by learned Counsel for the State that the issues raised in the present set of appeals are squarely covered by judgment of this Court in

Brijinder Singh v. Land Acquisition Collector, P. S.E B., Patiala 1993 (2) PLR 412, whereby the compensation payable for the acquired land was further enhanced to Rs. 68,000/- per acre.

5. Since this Court had enhanced the compensation payable to the landowners for the acquired land, the claim set up in the present appeals for reduction of compensation awarded to the landowners does not survive.

6. Accordingly, for the reasons recorded in Brijinder Singh's case (supra), the appeals are dismissed.