

(2010) 12 P&H CK 0397

In the Punjab And Haryana At Chandigarh

Case No : Cross -Objection No. 46/CI of 2009 (O and M) in Regular First Appeal
No. 3050 of 2006

State of Punjab

APPELLANT

Vs

Beant Singh (deceased) through L.Rs and Others

RESPONDENT

Date of Decision : 24-12-2010

Acts Referred:

Land Acquisition Act, 1894 — Section 18, 4

Citation : (2010) 12 P&H CK 0397

Hon'ble Judges : Rajesh Bindal, J

Bench : Single Bench

Judgement

Rajesh Bindal, J.—The landowners have approached this Court by filing the cross objections in the appeal filed by the State seeking enhancement of compensation for the acquired land.

2. Briefly the facts are that vide notification dated 17.7.1997 issued u/s 4 of the Land Acquisition Act, 1894 (for short, 'the Act') State of Punjab acquired land situated in village Lodhipur, Tehsil Anandpur Sahib, District Rupnagar, for setting up of new Urban Area. The Land Acquisition Collector (for short, "the Collector") determined the market value of the acquired land at the following rates:

Sr. No. Kind of land Rate per acre in Rates for land Rs. situated within 40 karams of the road in Rs.

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1. Chahi/Nehri 3,00,000/- 4,50,000/- 2. Barani/Banjar 1,95,000/- 2,93,500/-
Zadid, Kadim 3. Gair Mumkin Pahar 65,000/- 97,500/- choe/khad 4. Gair
Mumkin abadi 4,55,000/- No additional which is under abadi benefit within
municipal limit or Lal Dora or out of the Municipal limit or Lal Dora but within
40 karams from this limit or Lal Dora. 5. Gair Mumkin House/abadi 4,55,000/-
which is outside the limit but under the house only for that khasra No.

3. Dissatisfied with the award of the Collector, the land owners filed objections. On reference u/s 18 of the Act, the learned court below assessed the market value of the acquired land @ Rs. 14,100/-per Marla. It is this award which is impugned by the landowners by filing the cross-objections.

4. Learned Counsel for the landowners submitted that the main appeal was disposed of vide judgment dated 28.10.2010 in terms of detailed judgment in RFA No. 2269 of 2005 -Baldev Singh v. State of Punjab, however, inadvertently the cross-objections filed by the landowners in the appeal remained pending.

5. Aforesaid fact is not disputed by the learned Counsel for the State.

6. Accordingly, for the reasons mentioned in the aforesaid judgment, the cross-objections filed by the landowners are also disposed of in terms of aforesaid judgment.