

(2009) 04 P&H CK 0139
In the Punjab And Haryana At Chandigarh

Swaranjit Singh

APPELLANT

Vs

Collector Land Acquisition Colonization Department and
Another

RESPONDENT

Date of Decision : 21-04-2009

Acts Referred:

Land Acquisition Act, 1894 — Section 18, 4

Citation : (2009) 04 P&H CK 0139

Hon'ble Judges : Rajesh Bindal, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Rajesh Bindal, J.—The landowner has filed the present appeal seeking enhancement of compensation.

2. Briefly, the facts are that vide notification dated 7.3.1979, issued u/s 4 of the Land Acquisition Act, 1894 (for short, "the Act"), the State of Punjab acquired land situated in Villages Hazipur and Phagwara Sharki, for setting up a New Mandi Township at Phagwara. The Land Acquisition Collector assessed the market value at Rs. 32,026/- per acre for the land situated in Phagwara Sharqi and Rs. 32,000/- per acre for the land situated in Village Hazipur. Dissatisfied with the award of the Collector, the landowners/claimants filed objections. On reference u/s 18 of the Act, the learned court below determined the market value of the acquired land at Rs. 1,000/- per marla.

3. Learned Counsel for the appellant submitted that the issue involved in the present appeal is squarely covered by judgment of this Court in RFA No. 2180 of 1990 Smt. Balwinder Kaur v. Punjab State and Anr. decided on 18.11.2008, whereby the compensation payable for acquisition of land was enhanced to Rs. 1,750/- per marla.

4. Learned Assistant Advocate General, Punjab, does not dispute this fact.

5. For the detailed reasons recorded in Smt. Balwinder Kaur's case (supra), the

appeal is allowed in the same terms.