

(2014) 03 P&H CK 0132
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 16613 of 1992

Union of India

APPELLANT

Vs

Special Land Acquisition Collector and Others

RESPONDENT

Date of Decision : 14-03-2014

Acts Referred:

Land Acquisition Act, 1894 — Section 28-A

Citation : (2014) 03 P&H CK 0132

Hon'ble Judges : Surya Kant, J;Amol Rattan Singh, J

Bench : Division Bench

Advocate : Balwinder Singh, Advocate for the Appellant; P.S. Bajwa, Addl. A.G., Punjab, Advocate for the Respondent

Final Decision : Dismissed

Judgement

Surya Kant, J.—Union of India impugns the order dated 20th April, 1989, passed by the Special Land Acquisition Collector, Jalandhar, whereby application u/s 28-A of the Land Acquisition Act, 1894 for re-determination of the amount of compensation moved by respondent-land owners has been allowed.

2. It may be mentioned here that as soon as the certified copy of the order dated 17th September, 1987 passed by this Court in the Land Acquisition case(s) of other owners was received by the respondents, they applied u/s 28-A on 4th January, 1988, i.e. within the period of limitation of 3 months. Notice of this application was duly issued to the Defence Estate Officer, Patiala circle, Patiala, who did not contest the same despite service. Since Section 28-A came into force during pendency of the case for enhancement filed by other land-owners, the respondents have rightly been granted its benefit. The only plea taken in this writ petition is that the Union of India was not heard. This factual plead is not supported by the record or the facts duly noticed by the Special Land Acquisition Collector in his order.

3. No interference is called for.

4. Dismissed.