
(2011) 09 SHI CK 0266

In the High Court Of Himachal Pradesh

Case No : Regular First Appeal No. 287 of 2005

Union of India (UOI)

APPELLANT

Vs

Sh. Sita Ram and Others

RESPONDENT

Date of Decision : 01-09-2011

Acts Referred:

Land Acquisition Act, 1894 — Section 18, 4

Citation : (2011) 09 SHI CK 0266

Hon'ble Judges : Surinder Singh, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Surinder Singh, J.—The above titled petitions were disposed of by the Learned Reference Court by a same award passed in Reference petition No. 32 of 1999 decided on 26.7.2003 along with other petitions.

2. In fact, the reference petitions were filed by the Respondents herein u/s 18 of the Land Acquisition Act, 1894, in short "the Act", against award No. 1 of 1998 dated 19.3.1998 passed by the Land Acquisition Collector which were sent for the determination of the Court. The Reference Court enhanced the award passed by the Land Acquisition Collector against which the Appellant filed the present appeals.

3. The land of the Respondents was acquired vide notification dated 16.11.1994 issued u/s 4 of the Act, which involved the land of various persons, including the Respondents. The Land Acquisition Collector passed award No. 1 of 1998 and the Reference Court enhanced the value of land from Rs. 52,500/- per bigha to Rs. 60,000 per bigha. The Appellants herein challenged it by filing separate appeals, in the High Court. This Court in RFA No. 430 of 2004, Union of India v. Damodar Dass and Anr., on relying upon the evidence of the claimant therein upheld the award passed by the Reference Court. This ratio was applied by this Court in RFA No. 291 of 2005 (Union of India v. Mangat Ram and Ors.) decided on 14.5.2009

arising out of the same notification u/s 4 of the Act, as is involved in the present appeals. The impugned land being covered by the same notification and same award of the Land Acquisition Collector as admitted by the Learned Counsel for the parties, therefore, I see no reason to interfere with the same impugned award in view of the judgment passed in connected matters by this Court. Hence, the appeals filed by the Appellant are hereby dismissed.