
(2001) 03 P&H CK 0173

High Court Of Punjab And Haryana At Chandigarh

Case No: Regular First Appeal No. 251 of 1994

Dharma

APPELLANT

Vs

Haryana State

RESPONDENT

Date of Decision: March 7, 2001

Acts Referred:

- Land Acquisition Act, 1894 - Section 4, 48, 6

Citation: (2001) 4 RCR(Civil) 275

Hon'ble Judges: J.S. Narang, J

Bench: Single Bench

Advocate: Mr. Harkesh Manuja, for the Appellant; Mr. Ashok Chaudhary, DAG, for the Respondent

Final Decision: Allowed

Judgement

@JUDGMENTTAG-ORDER

J.S. Narang, J.

Learned counsel for the parties are ad-iden that present appeal is covered by a judgment rendered in RFA No. 1396 of 1993 vide which the compensation awarded by the Reference Court had been enhanced from Rs. 44/- per Square yard to Rs. 72/- per Sq. yard alongwith other statutory benefits as claimable under the Act. The said judgment was further challenged to claim still higher rate by way of LPA No. 302 of 1996 and the same was allowed vide judgment dated 29.11.1996 and the compensation was further enhanced from Rs. 72/- per Sq. yard to Rs. 80/-per Sq. yard.

2. It is also conceded that the land of the appellant had also been acquired vide notification dated 15.12.1982 and 11.12.1985 issued under Sections 4 and 6 of the Land Acquisition Act.

3. It is farther contended that by virtue of the judgment rendered in RFA No. 1396 of 1993, 12% additional compensation has been awarded u/s 48-A of the Land Acquisition Act to which the present appellant is also entitled to as the land subject matter of the said appeal was also notified in the same notification i.e., 15.12.1982 and 11.12.1985.

In view of the above, the present appeal is allowed in terms of the judgment rendered in RFA No. 1396 of 1993 and also further in terms of the judgment rendered in LPA No. 302 of 1996 decided on 29.11.1996. The benefits so available to which the appellant is entitled to shall be accordingly disbursed to the appellant.

4. Appeal allowed.