

In the High Court of Punjab & Haryana at Chandigarh

R. F. A. No. 830 of 1990 (O&M)

Date of decision : 30.9.2008

Union of India and another Appellants
vs	
Daulat Ram and others Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: None.

Rajesh Bindal J.

The Union of India has filed this appeal against the order of learned court below for reduction in compensation for acquisition of land.

Briefly, the facts of the case are that vide notification dated 28.8.1977 issued under Section 4 of the Land Acquisition Act, 1894 (for short, "the Act"), the Union of India acquired the land in Village Athotarwan, Tehsil Pathankot. On the acquired land, fruit bearing trees were also standing. On 16.3.1988, the Land Acquisition Collector announced his award. On reference under Section 18 of the Act, the learned court below vide award dated 2.9.1989, increased the market value of the acquired trees to the tune of 133%. It is this award which is under challenge before this court.

None has appeared for either of the parties.

This court vide order dated 7.1.2004, passed in R. F. A. No. 15 of 1990- Union of India and another vs Dhannu Ram and another, has upheld the award of the learned court below on account of compensation for the trees standing on the acquired land and the appeals filed by the Union of India were dismissed.

Since this court in Dhannu Ram's case (supra) has already upheld the award of the learned court below with similar facts, this appeal filed by the Union of India does not survive.

Accordingly, the appeal is dismissed.

30.9.2008
vs.

**(Rajesh Bindal)
Judge**