

Kapurthala Improvement Trust, Punjab

Vs

Land Acquisition Tribunal, Kapurthala and Others

Civil Appeal No. 1986 of 1992

(K. Ramaswamy, B. N. Kirpal JJ)

31.10.1995

ORDER

1. Notification under Section 36 of the Punjab Town Improvement Act, 1922 was published on 14-9-1975 acquiring an extent of 124 kanals 3 marlas of the land in Kapurthala Town for Kapurthala Development Scheme No. 2. Notification under Section 42 of the Act was published on 6-8-1976. The Collector in his award dated 12-10-1976 classified the lands into three belts 'A', 'B' and 'C' and granted compensation @ Rs 300, Rs 360 and Rs 210 per marla respectively. On reference under Section 18, the Tribunal by its award dated 16-4-1981 awarded uniform rate of compensation at Rs 540 per marla. When writ petitions came to be filed under Article 226, the Division Bench of the High Court by its common order on 23-2-1982 dismissed them. Thus these appeals by special leave.

2. Shri S.K. Mehta, learned counsel appearing for the Kapurthala Improvement Trust, contended that having rejected all the sale transactions, the Tribunal was not justified in awarding uniform market rate since the Collector had made belting and that different rates were awarded by the Collector. We have seen the plan which would indicate that the lands are situated in a triangle bounded by roads on all the three sides. The lands are situated in developed area. In our considered opinion, the Tribunal had not committed any error of law in determining the compensation for the acquired land. Therefore, the appeals of the Improvement Trust as well as of the claimants for further enhancement stand dismissed. No costs.