



RFA-348-2024(O&M)

**281 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

RFA-348-2024(O&M)

Date of decision: 23.01.2025

National Defence University

..Appellant

Versus

Kamal and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Puneeta Sethi, Advocate
Mr. YashooDev Singh Thakur, Advocate for the appellant

Mr. Sanjay Vij, Advocate
Mr. Uday Vij, Advocate for the respondent

ANIL KSHETARPAL, JUDGE

Learned counsel representing the parties are ad idem that the market value of the acquired land has been assessed by this Court in **Ram Pal and another vs. State of Haryana and others** and connected cases (**RFA-2116-2016 decided on 01.06.2022**).

Learned counsel representing the appellant submits that in this case application under Section 18 of the Land Acquisition Act, 1894 (hereinafter referred to as '1894 Act') was filed after 4 ½ years.

Per contra, the learned counsel representing the landowners submits that applications under Section 18 of the 1894 Act were filed on 17.04.2012 i.e even before the award was passed by the Land Acquisition Collector. He submits that those applications were never returned and the Land Acquisition Collector himself referred the matter to the court.

The landowners, while filing application under Section 18 of the 1894 Act has to show that the landowners are not satisfied with the

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market value assessed by the Land Acquisition Collector. Once the applications were filed before the date of award, the same cannot be said to have been filed beyond the prescribed time. Subsequent applications filed by the landowners will have to be read in continuation of the earlier applications.

The appeal stands disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

23.01. 2025

rekha

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No