

LAND ACQUISITION OFFICER, PUNJAB

A

v.

ANUDEEP KAUR AND ORS.

DECEMBER 8, 1995

[K. RAMASWAMY AND B.L. HANSARIA, JJ.]

B

Land Acquisition Act, 1894 :

S.23(1-A)—Acquisition of land—Compensation—Award of Land Acquisition Officer passed on 30.7.1981—Held—Section has no application to award—Civil court has no jurisdiction to award additional amount.

C

The State Government filed the present appeal challenging the judgment of the High Court, which dismissed its civil revision against the judgment of the civil court awarding additional amount under s.23(1-A) of the Land Acquisition Act, 1894.

D

Allowing the appeal, this Court

HELD : The award of the Land Acquisition Officer being of July 30, 1981, s.23(1-A) of the Land Acquisition Act, 1894 has no application to the award. The civil court has no jurisdiction to award the additional amount.

E

[358-A]

CIVIL APPELLATE JURISDICTION : Civil Appeal Nos. 11859-60 of 1995.

From the Judgment and Order dated 22.4.93 of the Punjab & Haryana High Court in C.R. Nos. 3373-74 of 1991.

F

G.K. Bansal for the Appellant:

Amit Rawal, Rajesh K. Sharma and Goodwill Indeevar for the Respondents.

G

The following Order of the Court was delivered :

Leave granted.

The controversy is no longer *res-integra* as regards entitlement to payment of additional amount under section 23(1-A) of the Land Acquisition

H

- A tion Act, 1894, as amended by act 68 of 1984. The award of the Land Acquisition Officer is dated July 30, 1981. Therefore, Section 23(1-A) has no application to the award in question. Under these circumstances, the Civil Court has no jurisdiction to amend the award and decree awarding additional amount under Section 23(1-A). The High Court equally committed an error of law in dismissing the civil revision in that behalf.
- B

The appeals are accordingly allowed to the above extent. No costs.

R.P.

Appeals allowed.