

DLNT010110762023



IN THE COURT OF SH. SIDHARTH MATHUR
DISTRICT JUDGE (NORTH-01): ROHINI COURTS : DELHI
LAC No. 283/2023

In the matter of:-

1. Rattan Singh (since deceased) through his LR:-

a. Vijender son
R/o H. No. 97, Pradhan Kehar Singh Wali
Gali, Village Iradat Nagar @ Naya Bans Delhi – 110082.

2. Kanhiya Lal (since deceased) through his LRs:

i. Virender Kumar son
ii. Shri Bhagwan son
iii. Om Prakash son
iv. Ashok Kumar son

All R/o H. No. 98, Village Iradat Nagar @ Naya Bans,
Delhi – 110082.

.... Petitioners

Versus

1. Union Of India through
Land Acquisition Collector (North)
at D.M. Office Complex (North)
Alipur, Delhi-110036.
2. D.S.I. I. D.C
Through its MD-cum-Chairman,
N-6, Jiwan Life Building, Cannaught Circus,
New Delhi.

.... Respondents

Award No. 32/2002-03

Village	Naya Bans @ Iradat Nagar
Date of Award/ Date of	
Announcement of Award	31.12.2002
Notification U/s 4 LA Act	F.11(92)/2000/L&B/LA /14952 dt.23.01.2001
Notification U/s 6 LA Act	F.11(92)/2000/L&B/LA /70 dt.04.04.2001
Date of possession	11.09.2001
	<u>Date of Receipt of Reference : 06.10.2023</u>
	<u>Date of Arguments : 08.06.2026</u>
	<u>Date of Decision: 08.06.2026</u>

**REFERENCE PETITION UNDER SECTION 18 OF THE
LAND ACQUISITION ACT 1894**

AWARD:

**(BY THE COURT U/S 26 OF LAND ACQUISITION ACT-
1894 ON REFERENCE PETITION U/S 18 OF THE ACT):**

1. In the present petition, petitioners have claimed that they were interested persons and were in cultivatory possession of the land as mentioned in statement u/s 19 of L.A. Act. Petitioners have filed one common/joint reference u/s 18 of Land Acquisition Act, qua the entire aforesaid land acquired through aforesaid Award. Photocopy of said reference u/s 18 of L. A. Act is available on record of present case. Vide this judgment, I shall decide the reference u/s 18 of Land Acquisition Act, 1894 (hereinafter called as LA Act), filed by the petitioners for enhancement in compensation of the land comprising in

khasra numbers as mentioned in statement u/s 19 of L.A. Act.

2. Brief facts of the case are that a tract of Land measuring 04 bigha 13 biswas of village Iradat Nagar @ Naya Bans, Delhi, was acquired by the Govt. for a public purpose namely “Shifting of Industrial Units From the City Area of Delhi/New Delhi” under planned development of Delhi”. Notification under Section 4 of The Land Acquisition Act, 1894 was issued on **23.01.2001**; Declaration under Section 6 of LA Act was made on **04.04.2001**. Thereafter, Award bearing no. 32/2002-03 was announced by Land Acquisition Collector (hereinafter referred to as LAC) on 31.12.2002. The LAC determined the market price of the acquired land as Rs. 13.82 lakhs per acre.
3. The petitioner has challenged the said award *inter alia* on the ground of inadequacy of compensation and incorrect assessment of market value of land inter-alia due to non-consideration of relevant factors like potentiality and fertility of the suit land, the surrounding colonies and developed areas, the market value of the adjoining areas/villages, the sale deeds of other lands of the

contemporary period, nearness to the National Highway and industrial areas, the amenities available in the suit land etc.

4. The petitioner has prayed compensation at enhanced rate besides interest thereon and solatium in addition to the compensation.
5. No WS was filed on behalf of respondent no.1/Union of India (UOI)/Land Acquisition Collector. Respondent no.2/Delhi State Industrial Infrastructures Development Corporation (DSIIDC) contested the reference petition by filing its Written Statement.
6. The petition has been contested mainly on the ground that the LAC awarded adequate compensation to the petitioner after taking into consideration all the relevant factors and therefore, LAC has correctly assessed the market value of the land after taking into account the market rates prevailing at the time of notification under Section 4 of LA Act.
7. During proceedings, petitioners Rattan Singh & Kanhiya Lal expired. Consequently, applications u/o 22 Rule 3 CPC were moved to implead their LR's. The said applications were allowed vide order dt. 21.10.2024.

During trial, some of the LRs (Reeta, Sunita & Rajwanti) of petitioner Rattan Singh had relinquished their shares in favour of Vijender Singh (son of petitioner Rattan Singh) vide their joint statement recorded on 21.10.2024.

8. During admission-denial of documents, the petitioner admitted the statement given u/s 19 of the Act. The following issues were framed :-

- i) **Whether the petitioner is entitled to enhancement in compensation, if so, to what amount?**
- ii) **Relief.**

9. In evidence, the petitioners have relied upon the judgment in a case titled as Raj Singh Vs. UOI LAC No. 1702/16 & Jai Singh Vs. UOI, LA No.266/08, decided on 23.08.2011 (Delhi High Court).

10. No RE led on behalf of the respondent no.1/Union of India. Accordingly, its right to lead RE was closed vide order dt. 06.06.2026. Respondent no.2/DSI IDC in its evidence, tendered the award i.e. Ex. R-2.

11. I have heard the Ld. Counsel(s) for the parties and have also carefully considered the record. My issue-wise findings are given as under:-

ISSUE NO. 1

12. Petitioner has contended that valuation of land determined by LAC is not reasonable as LAC has not

adopted the correct method of valuation. However, petitioner has not led any evidence in this regard and has merely relied upon the judgments of **Raj Singh Vs. UOI and Jai Singh Vs. UOI**, LA No.266/08, decided on **23.08.2011 (Delhi High Court)**.

13. Vide judgment dated 22.08.2024 passed by Ld. Predecessor in LAC No.122/16 titled as Raj Singh & Ors. vs. UOI & Anr., had determined the market value @ Rs.14,75,000/- per acre for Category A Land for same village i.e. Iradat Nagar @ Naya Bans. The date of Notification u/s 4 of L. A. Act qua Award No.07/2002-2003 is 07/08/2000 whereas the date of Notification u/s 4 of L A. Act qua present Award i.e. Award No.32/2002-2003 is 23.01.2001. Hence, the Notification u/s 4 of L.A. Act qua present Award i.e. Award No.32/2002-2003 is later than the Notification u/s 4 of L. A.Act qua Award No.7/2002-2003. In Jai Singh's case (Supra) Hon'ble High Court of Delhi had adopted and used a formula for increasing/decreasing the price of the land i.e. increase/decrease @ 11.5% per annum. On applying the said formula used by Hon'ble High Court of Delhi in Jai Singh's case (Supra), the fair market value of the land of

petitioner comes to Rs.15,51,000/- per acre (rounded off).

14. Besides above, petitioner shall be entitled to other statutory benefit i.e 12% Addl. Amount as per section 23 (1) A & 30% solatium u/s 23 (2) & will be entitled to interest on the market value @ 9% per annum for the first year & 15% for subsequent year till the making of payment of enhanced compensation by LAC as per provision of Section 28 of the Act.

Issue no.1 decided accordingly.

15. **Findings on Issue No.2 – RELIEF**

In view of the findings on Issue no.1, the petitioner is entitled to the following reliefs: -

- a) **market value** of the land @ Rs.15,51,000/- per acre for the Land, as per statement u/s 19 LA Act.
- b) **additional amount** u/s 23 (1A) @ 12% p.a., on the market value from the date of notification u/s 4 of the LA Act till the date of award or dispossession, whichever is earlier ;
- c) **solatium** u/s 23(2) of LA Act @ 30% on the enhanced amount of market value;
- d) **interest** under Section 28 of L.A Act at the rate of 9% per annum for the first year from the date of dispossession and at the rate of 15% per annum on the difference between the enhanced compensation awarded by this court and the compensation awarded by the LAC for the subsequent period till its payment.

16. The share(s) of the petitioner(s) would be determinable as per the statement u/s 19 of the LA Act proved on record and the said statement shall constitute a part of this award.
17. Reference is answered. Parties to bear their own costs, a copy of this award be sent to the LAC for necessary information, action and expeditious compliance for remittance of the amount. File be consigned to record room.

**Announced in the
Open Court on 08.06.2026**

**(SIDHARTH MATHUR)
District Judge (01)/(N)
Rohini Courts/Delhi**

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