



IN THE COURT OF SH. SIDHARTH MATHUR
DISTRICT JUDGE-01 (NORTH):ROHINI COURTS: DELHI
LAC No. 4/2025

In the matter of:-

Rekha Gehlot (since deceased) through her LRs:-

- i. Geetika Chaudhary (daughter)**
W/o Vikas Chaudhary
R/o H. No. 12/427, Upper Ground Floor, Block – 12,
Sunder Vihar, West Delhi – 110087.
- ii. Urnika Gahlaut (daughter)**
W/o Vicky Bhardwaj
R/o H. No. 648, Chirag Delhi,
P.O. Maliviya Nagar, South Delhi – 110017.

.....Petitioners

Versus

- 1. Union Of India through**
Land Acquisition Collector (N)
Office at Alipur, Delhi.
- 2. Delhi Development Authority**
through its Vice-Chairman
Vikas Sadan, INA, New Delhi.

..... Respondents

Award No.	04/2002-03
Village	Pansali
Date of possession	12.05.2000
Notification U/s 4 LA Act	F.10(29)/96/L&B/LA/ 11394dt. 27.10.1999
Notification U/s 6 LA Act	F.10(29)/96/L&B/LA/20 dt. 03.04.2000
Date of Announcement of LAC Award	03.04.2002

Date of Receipt of Reference : 01.03.2025

Date of Arguments : 17.03.2026

Date of Decision: 17.03.2026

**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. This is a reference made by the Land Acquisition Collector (hereinafter referred to as '**LAC**') under section 18 of the Land Acquisition Act, 1894 (hereinafter referred to as '**LA Act**'). The reference was initiated on a petition made by the petitioner who was aggrieved by the amount of compensation awarded by the LAC vide above-referred award.
2. As per the reference, a large tract of land measuring 1223 bighas 06 biswas of village Pansali, Delhi, was acquired by the Government for the purpose of Rohini Residential Scheme Phase IV&V. The notification under Section 4 of The LA Act as mentioned on the index page was issued. The Declaration under Section 6 was made as mentioned on the index page. Thereafter, above-referred award was announced by the LAC. The LAC determined

the market price of the acquired land as Rs.12.16 lacs per acre.

3. The petitioner, being dissatisfied with the market value determined by the LAC, filed the present petition u/s 18 of the LA Act, seeking reference to this court. The LAC forwarded the same to this Court for adjudication.
4. The case of the petitioner is that petitioner was the owner / bhumidhar of the land bearing khasra numbers as mentioned in Statement u/s 19 of the LA Act that was annexed with the present reference, situated within the Revenue Estate of Village Pansali, Delhi (the said land). The said land was acquired vide notification dated **27.10.1999**.
5. 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, amenities available in the suit land etc.

6. The petitioner has prayed compensation at enhanced rate besides interest thereon and solatium in addition to the compensation.
7. The respondent no.1/the Union of India (UOI) /Land Acquisition Collector and respondent no.2/Delhi Development Authority (DDA) contested the reference petition by filing their respective Written Statements.
8. 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.
9. During the proceedings, the petitioner expired and consequently, an application u/o 22 Rule 3 CPC was moved to implead her LRs. The said application was allowed vide order dt. 21.07.2025. The LRs mentioned in SMC were impleaded.
10. Admission-denial of documents was not pressed.
The following issues were framed :-
 - i) **Whether the petitioner is entitled to enhancement in compensation, if so, to**

what amount? OPP.
ii) Relief.

11. In evidence, the counsel for petitioner on behalf of petitioner has relied upon the judgment in a case titled as *Kuldeep Singh vs. UOI LAC No.359A/08* by Sh. Amit Kumar, ADJ on 05.01.2013 and also the evidence led in said case.
12. The respondent no.1/Union of India (UOI), in its evidence, tendered the award as Ex.R1. The respondent no.2/D.D.A adopted the evidence led on behalf of the respondent no.1/ Union of India.
13. I have heard the Ld. Counsels for the parties and have also carefully considered the record. My issue-wise findings are given as under:-

FINDINGS ON ISSUE NO. 1 :-

14. Petitioner has contended that valuation of land determined by LAC is not reasonable as LAC has not adopted the correct method of valuation. However, he has not led any evidence to show as to how the LAC was wrong in fixing market value of land. During arguments, Ld. Counsel for the petitioner has only relied upon the judgment titled as ***Kuldeep Singh & Ors., vs. UOI LAC No.359A/08 (decided by ld. Predecessor Sh. Amit Kumar,***

ADJ, Rohini Court, vide judgement dated 05.01.2013), and conceded that award be passed in terms of the said judgment and the same enhancement which was granted in the said judgment be also granted to petitioner.

15. **In Kuldeep Singh's case**, an elaborate and detailed discussion was made before determining the amount of compensation. With respect to the land of the village Pansali (involved herein), acquired through the same notification (as made herein), the Id. Predecessor Judge determined the market value of the land as Rs. *12,85,650/- per acre*.

16. Since, no different evidence has been led by the petitioner in the present case, I have no reason to give a different treatment to the land of the petitioner and to give a determination, different from that determined in the **Kuldeep Singh's case**. The fair market value of the acquired land is adjudicated as Rs. *12,85,650/- per acre* as determined in **Kuldeep Singh's case**. Accordingly, I hold that the petitioner would be entitled to market value @ Rs. *12,85,650/-per acre*.

17. Petitioner has also claimed compensation for crops, tree, tubewell etc. However, the petitioner has failed to

lead any evidence to substantiate his claim or to establish that he was not awarded sufficient compensation for same. Accordingly, I hold that petitioner is not entitled to any enhancement in compensation on this count.

18. Besides above, petitioner shall be entitled to other statutory benefits under the LA Act viz. 12% **additional amount** [as per section 23 (1A)] and 30% **solatium** [u/s 23 (2)] and will be entitled to **interest** under Section 28 of L.A Act on the fair market value @ 9% per annum for the first year and @ 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 is decided accordingly.

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

In view of the findings on Issue no.1, the petitioner/s are granted the following reliefs: -

- i) **fair market value** @ Rs. 12,85,650/- per acre for the acquired land as per statement u/s 19 of the LA Act;
- ii) **additional amount** @ 12% per annum on the fair market value u/s 23 (1A) of the LA Act , from the date of notification u/s 4 of the LA Act till the

date of award or dispossession, whichever is earlier ;

- iii) **solatium** u/s 23 (2) of LA Act @ 30% on the enhanced amount of market value;
- iv) **interest** under Section 28 of L.A Act @ 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 ;

20. The share(s) of the petitioner(s) would be determinable as per the statement u/s 19 of the L.A. Act on record and the said statement shall constitute a part of this award.

21. Reference petition stands 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 17.03.2026**

**(Sidharth Mathur)
District Judge-01/North,
Rohini Courts/Delhi**

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