

DLNT010096672023



IN THE COURT OF SH. SIDHARTH MATHUR  
DISTRICT JUDGE (NORTH-1) : ROHINI COURTS : DELHI  
LAC No.207/2023

In the matter of:-

1. **Rajender Singh**  
S/o late Sh. Sohan Lal

2. **Ram Avtar (since deceased) through his LRs:-**  
i. Deepak Tyagi son  
ii. Monika Tyagi daughter  
iii. Sarika daughter  
iv. Sudesh Tyagi wife

All R/o H. No. 456, VPO Holambi Kalan, Delhi – 82.

3. **Raj Kumar (since deceased) through his LRs:**  
i. Lokesh Kumar Tyagi widow  
ii. Arvind Tyagi son  
iii. Avinash Tyagi (since deceased) through his LRs:-  
a. Lokesh Kumar Tyagi mother  
b. Meena Tyagi widow  
c. Lakshay Tyagi son  
d. Ayushi Tyagi daughter

All R/o H. No. 244, VPO Holambi Kalan, Delhi – 82.

4. **Krishan Bhagwan Tyagi**  
S/o Sh. Sohan Lal  
R/o H. No. 460, VPO Holambi Kalan, Delhi.

5. **Raj Singh**  
S/o Sh. Sohan Lal  
R/o H. No. 245A, near Barf Factory, VPO Holambi Kalan,  
Delhi – 82.

6. **Mahesh Kumar (since deceased) through his LRs:**  
i. Poonam Bhardwaj wife

- ii. Gauren Bhardwaj son  
iii. Naren Bhardwaj son

R/o H. No. 246, VPO Holambi Kalan, Delhi – 110042.

..... **Petitioner**

*Versus*

- 1. Union of India through**  
Land Acquisition Collector (North)  
D.C. Office at Alipur, Delhi.
- 2. Delhi Development Authority**  
Through its Vice Chairman  
Vikas Sadan, I.N.A., New Delhi.

..... **Respondents**

Award No.	15/2005-06DC(N.W.)
Village	Holambi Kalan
Date of Possession	18.11.2005
Notification U/s 4 L.A. Act	F.11(21)/02/L&B/LA /17595 dt. 27.01.2003
Notification U/s 6 L.A. Act	F.11(21)/02/L&B/LA /24072 dt. 23.01.2004

Date of Announcement of LAC Award : 23.08.2005

Date of Receipt of Reference : 02.09.2023

Date of Arguments : 12.05.2026

Date of Decision: 12.05.2026

**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 1440 bigha 04 biswa of village Holambi Kalan, Delhi, was acquired by the Government for a public purpose namely "Development of Narela-Bawana Phase-II, under planned development of Delhi. A notification under Section 4 of The LA Act was issued on 27-01-2003 A Declaration under Section 6 the LA Act was made on 23-01-2004. Thereafter, above-referred award was announced by the LAC. The LAC determined the market price of the acquired land as Rs. 15,70,000/- per acre for category A Land and Rs. 14,00,000/- per acre for Category B land.
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 petitioners is that petitioners were the recorded co-bhumidhars of the land bearing khasra numbers as mentioned in Statement u/s 19 of the LA Act that was annexed with the present reference and admitted by the petitioner during the stage of admission/denial of documents, situated within the Revenue Estate of Village Holambi Kalan Delhi (the said land). The said land was acquired vide notification dated **27.01.2003**.
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, the 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. Initially, the party as R-2 was DSIIDC. However, vide

order dt. 17.02.2025, DSIIDC was deleted from array of parties and DDA was impleaded as R-2 in the present petition as it was the beneficiary of land in question. Thereafter, respondent no. 1/UOI & 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.

In written statement R-2/DDA also supported the contention of R-1/UOI.

9. During the proceedings, petitioner no. 2, petitioner no. 3 & petitioner no. 6 had expired and consequently, applications u/o 22 Rule 3 CPC were moved to implead their LRs. The said applications were allowed vide order dt. 12.05.2026.
10. During admission-denial of documents, the counsel for 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? OPP**

(ii) **Relief.**

11. In evidence, on instructions of the petitioner, the counsel for petitioner has relied upon the judgment in a case titled as **“Ved Prakash Tyagi vs. UOI LAC 3A/2010”** and also the evidence led in said case

12. The respondent no.1/Union of India, in its evidence, tendered the award as Ex. R1. The respondent no. 2/DDA adopted the evidence led on behalf of the respondent no.1/ Union of India.

13. I have heard Ld. Counsels for the parties and have also carefully considered the record. My issue-wise findings are 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. Ld. Counsel for the petitioner has only relied upon the judgment titled as **Ved**

**Prakash Vs. UOI LAC No.3A/10 dated 17.10.2012 passed by Sh. Amit Kumar, ld. Predecessor, ld. ADJ** 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 **Ved Prakash's** case, an elaborate and detailed discussion was made before determining the amount of compensation. With respect to the land of the village Holambi Kalan (involved herein), acquired through the same notification (as made herein), the ld. Judge determined the market value of the land as Rs.19,43,500/- 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 **Ved Prakash's** case. The fair market value of the acquired land is adjudicated as *Rs.19,43,500/-* per acre as determined in **Ved Prakash's** case. Accordingly, I hold that the petitioner would be entitled to market value @ *Rs.19,43,500/-* per acre.

17. The Hon'ble High Court of Delhi in a case titled as

“Jai Singh Vs. UOI, LA No. 266/08, decided on 23.08.2011 (Delhi High Court), had adopted / used a formula for determination of fair market value of Category B as well as Category C land vis-a-vis land of Category A. In Jai Singh’s case, fair market value of Category B land was adjudicated to be 2.5 % less than fair market value of Category A land and fair market value of Category C land was adjudicated to be 2.5% less than fair market value of Category B land. In the present petition, petitioner has prayed for Category B land. In view of the Jai Singh’s case (supra), this court has found no impediment in adopting / relying upon the formula adopted by the Hon’ble High Court of Delhi in the said case. Accordingly, on applying the formula adopted / used by Hon’ble High Court of Delhi in Jai Singh’ case (supra), the value for category B land is of Rs. 18,94,912.50/- per acre.

18. 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.

19. 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.

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

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

1. **fair market value:** the petitioner would be entitled to the said market value @ Rs.19,43,500/- per acre for category A Land and @ Rs. 18,94,912.50/- per acre for Category B Land, whichever is applicable, for the acquired land as per statement u/s 19 of the LA Act;
2. **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;

3. **solatium** u/s 23 (2) of LA Act @ 30% on the enhanced amount of market value;
4. **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.

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

22. 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 12.05.2026.**

**(SIDHARTH MATHUR)  
District Judge-01/(North),  
Rohini Courts/Delhi**

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