



IN THE COURT OF SH. SIDHARTH MATHUR
DISTRICT JUDGE (NORTH-1) : ROHINI COURTS : DELHI
LAC No.128/2022

In the matter of:-

1. Ram Singh S/o late Sh. Kacheru (since deceased) through his LR:-

a. Makhmali widow

b. Renu Saini daughter

W/o Sh. Jitender Saini
R/o H. No. 19, Radha Krishna Mandir,
South Extension Part – II, Gautam Nagar,
Delhi – 110049.

c. Babita Tambar daughter

W/o Sh. Naveen Tambar
R/o H. No. 285, Road M-1, Bhupalpura,
Girwa Udaipur, Shastri Circle,
Rajasthan – 313001.

d. Sunita Saini daughter

W/o Sh. Dinesh Kumar
R/o H. No. 176, Shiv Mandir Wali Gali,
Lampur, Narela, Delhi.

e. Jikesh Saini (pre deceased son) through his LR:-

i. Shailendri Saini widow

ii. Poornima daughter

iii. Sumit Saini son

- iv. Shubham Saini son
- v. Atul Saini son

All R/o Village Holambi Kalan Delhi – 110082.

f. Mukesh Kumar son
R/o H. No. 31, Mata Mandir Gali,
Holambi Kalan, Delhi – 110082.

g. Pawan Kumar son
R/o H. No. 31, Mata Mandir Gali,
Holambi Kalan, Delhi – 110082.

h. Dinesh Kumar son
R/o H. No. 31, Mata Mandir Gali,
Holambi Kalan, Delhi – 110082.

2. Surat s/o late Sh. Kacheru (since deceased) through his LRs:-

i. Anil Kumar Saini son
R/o H. No. 32, Holambi Kalan,
Delhi – 110082.

ii. Devender Saini son
R/o H. No. 271, Holambi Kalan
Delhi – 110082.

iii. Krishna Devi wife
R/o H. No. 32, Holambi Kalan
Delhi – 110082.

3. Jagdish
S/o late Sh. Kacheru

4. Ramesh
S/o late Sh. Kacheru
R/o VPO Holambi Kalan
Delhi.

5. Jai Kishan S/o late Sh. Kacheru (since deceased) through his LR:-

- i. Sarla Devi wife
- ii. Deepak Saini son

Both R/o H. No. 212, Nayabans
North West Delhi – 110082.

..... Petitioners

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 : 22.10.2022

Date of Arguments : 06.04.2026

Date of Decision: 06.04.2026

**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 owners and in cultivatory possession of the land bearing khasra numbers as mentioned in the revised 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. Vide order dt. 20.11.2024, DSIIDC was deleted from array of parties and DDA was impleaded as R-2 in the present petition as DDA is the beneficiary of land in question. Thereafter, R-1/UOI & R-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, petitioners Jai Kishan, Surat Singh, Ram Singh and Jikesh Saini were expired and consequently, separate applications u/o 22 Rule 3 CPC were moved to implead their LR's. The said applications were allowed on 22.05.2023, 22.04.2024 & 23.03.2026 respectively. The LR's of petitioner Surat Singh shall not be entitled to interest for the period w.e.f 22.12.2023 till 29.01.2024.

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. 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: -

1. **fair market value:** the petitioner would be entitled to the said market value @ Rs.19,43,500/- per acre for category A Land, as

per the applicable category of his land, 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. **The LRs of petitioner Surat Singh shall not be entitled to interest for the period w.e.f 22.12.2023 till 29.01.2024.**

20. The share(s) of the petitioner(s) would be determinable as per the revised statement u/s 19 of the L.A. Act proved 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 06.04.2026**

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

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