

DLNT010139562023



IN THE COURT OF SH. SIDHARTH MATHUR
DISTRICT JUDGE (NORTH-1) : ROHINI COURTS : DELHI

LAC No. 378/2023

In the Matter of :-

Zile Singh (since deceased) through his LRs:-

- i. Maya Devi widow
- ii Lokesh Devi daughter
W/o Rajesh Kumar
R/o 16, A-Block, Gopal Nagar,
Part 1, Najafgarh, South West Delhi – 110043.
- ii. Mukesh Kumar son
R/o H. No. 206, Holambi Kalan,
North West Delhi – 110082.

..... **Petitioners**

Versus

1. Union Of India through
Land Acquisition Collector (North)
D.C. office Complex, Alipur, Delhi.
2. Delhi Development Authority
INA Market, Vikas Sadan,
New Delhi (DDA).

..... **Respondents**

Award No. 18/2002-03
Village Holambi Kalan
Notification U/s 4 LA Act F.7(35)/L&B/LA/Vol.V/7905
dt. 31.08.2000

Notification U/s 6 LA Act F.7(35)/L&B/LA/Vol.V/8769
dt. 14.09.2000

Date of Announcement of LAC Award: 30.08.2002

Date of possession :14.11.2000

Date of Receipt of Reference : 14.12.2023

Date of Arguments : 08.06.2026

Date of Decision: 08.06.2026

**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 144 bighas or 30 acres of village Holambi Kalan, Delhi, was acquired by the Government for a public purpose namely Rehabilitation of MRTS Project affected persons, under planned Development of Delhi. 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.13.82 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 bhumidar / absolute owner, as well as in the cultivatory possession of the land bearing Khasra number as mentioned in the 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 **31.08.2000**.
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. The respondent no.1/the Union of India (UOI)/Land Acquisition Collector contested the reference petition by filing its Written Statement. No WS was filed on behalf of the respondent no. 2/DDA. Accordingly, its right to file WS was closed vide order dt. 05.05.2026.
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, petitioner had expired and

consequently, an application u/o 22 Rule 3 CPC was moved to impead his LRs. The said application was allowed vide order dt. 16.03.2026.

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?**
- ii) **Relief.**

11. In evidence, the petitioner has relied upon the judgment in a case titled as Jai Singh vs. UOI LAA 266/08 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 in evidence. However, no RE led on behalf of the respondent no.2/DDA. Accordingly, its right to lead RE was closed vide order dt. 02.06.2026.

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. Ld. Counsel for the petitioner has relied upon the judgment titled as **Jai Singh Vs. UOI, LA No.266/08, decided on 23-08-2011 (Delhi High Court)** 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 Jai Singh Vs. UOI case (supra)**, 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 notification dated 07.8.2000, the Hon'ble High Court determined the market value of the land as Rs. 14,75,000/- per acre for category A land and Rs.14,37,280/- per acre for the category B land. The notification in the present case was published on 31.08.2000. 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. I have to determine the market value based on **Jai Singh's case**. In Jai Singh's case an escalation @ 11% per annum was considered just and reasonable. Giving the same escalation in the present case for 24 days,

the fair market value of the acquired land comes out as Rs.14,85,700/- per acre for category A land Rs.14,47,700/- per acre for category B land (figures have been rounded off to the nearest hundred). Accordingly, I hold that the petitioner would be entitled to market value @ Rs.14,85,700/- per acre for category A land Rs.14,47,700/- per acre for category B land, whichever is applicable.

16. 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.

17. 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.

18. **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 @** Rs.14,85,700/- per acre for category A land Rs.14,47,700/- 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;

19. 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.
20. 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 08.06.2026**

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

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