

DLNT010139582023



IN THE COURT OF SH. SIDHARTH MATHUR:
DISTRICT JUDGE-01 (NORTH) : ROHINI COURTS : DELHI
LAC No. 375/2023

In the mater of :-

Jagdish

S/o Rati Ram

R/o Village Tikri Khurd, Delhi.

..... Petitioner

Versus

1. Union Of India through

Land Acquisition Collector (North)

Office of Deputy Commissioner

Alipur, Delhi- 110036.

2. Delhi Development Authority (DDA)

through its Chairman

Vikas Sadan, I.N.A. New Delhi.

.....Respondents

Award No.	28/2003-04
Village	Mamurpur
Date of Award/ Date of Announcement of Award	17.02.2004
Notification U/s 4 LA Act	F.11(6)/99/L&B/LA

/1410 dt. 02.05.2001
Notification U/s 6 LA Act F.11(6)/99/L&B/LA
/1422 dt. 23.04.2002
Date of possession 08.09.2004

Date of Receipt of Reference : 14.12.2023
Date of Arguments : 19.05.2026
Date of Decision: 19.05.2026

**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 947 bighas and 08 biswas of village Mamurpur, Delhi, was acquired by the Government for a public purpose namely development of Sector 1,2,3 & 4 Narela, Phase- 1/1 for 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.15.70/- lac 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 brief facts giving rise to the present reference petition are that petitioner was the interested person being the bhumidhar / owner and in possession of agricultural 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 Mamurpur, Delhi (the said land).

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 and respondent no.2/Delhi Development Authority (DDA) contested the reference petition.
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 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.

10. In evidence, the counsel for petitioner relied upon the evidence led on behalf of petitioner in case titled as **Jai Singh Vs. UOI & Ors DOJ 23.08.2011**. However, the leading case of the village is **Ram Chander Vs. UOI, LAC No.371 A/08**, decided by **Ld. Predecessor Sh. Sanjeev Kumar vide his judgment dated 08.08.2011**.

11. The respondent no.1/Union of India, in its evidence, tendered the award as Ex. R1 and the respondent no. 2 / Delhi Development Authority adopted the evidence led on behalf of the respondent no.1/ Union of India.

12. 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 :-

13. 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 **Ram Chander Vs. UOI, LAC No.371A/08**, decided by Ld. Predecessor **Sh. Sanjeev Kumar vide his judgment dated 08.08.2011** 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 him.

14. In **Ram Chander's** case (Supra), an elaborate and detailed discussion was made before determining the amount of compensation. With respect to the land of the village Mamurpur (involved herein), acquired through the same notification (as made herein), the Ld. Predecessor Judge determined the market value of the land as Rs.15,83,083/- per acre.

15. 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 **Ram Chander's** case (Supra). The fair market value of the acquired land is adjudicated as @ Rs.15,83,083/- per acre as determined in **Ram Chander's** case (Supra). Accordingly, I hold that the petitioner would be entitled to

market value @ Rs.15,83,083/- *per acre*.

16. Petitioner has also claimed compensation for severing charges 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: -

- i) **fair market value** @ Rs.15,83,083/- *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.

19. The share(s) of the petitioner(s) would be determinable as per the statement u/s 19 of the L.A. Act as well as the judgment u/s 30-31 of LA Act filed/ proved on record and the said statement and judgment 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.

**Announcement in the
Open Court on 19.05.2026**

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

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