



IN THE COURT OF SIDHARTH MATHUR
DISTRICT JUDGE-01 NORTH: ROHINI COURTS : DELHI
LAC No. 470/2019

In the matter of:-

**1. Rajender Singh S/o Sh. Roop Ram (since deceased)
through his LRs:-**

- | | | |
|------|-------------|-------|
| i. | Ved Khatri | widow |
| ii. | Aman Khatri | son |
| iii. | Pawan | son |

All R/o H. No. 1283, Pana Paposian
Narela Delhi – 110040.

**2. Chhatar Singh S/o Sh. Roop Ram (since deceased)
through his LRs:-**

- | | | |
|-----|---------------|-----|
| i. | Rishi Khatri | son |
| ii. | Sanjay Khatri | son |

Both R/o 1283/A, Pana Paposian
Narela Delhi – 110040.

iii.	Rama Dagar	daughter
R/o 1283/B, Pana Paposian		
Narela Delhi – 110040.		

iv.	Seema Balain	daughter
W/o Sh. Harinder Singh		
R/o C-2, near B.D. Jain School,		
Phase – II, Vijay Vihar Delhi – 85.		

3. Raj Karan
S/o Sh. Meer Singh

R/o Pana Paposian
Narela Delhi – 110040.

..... Petitioner

Versus

1. Union of India through
Land Acquisition Collector
NW at Kanjhawala, Delhi.

2. Delhi Development Authority
through its Vice Chairman
Vikas Sadan, INA Market,
New Delhi.

..... Respondents

Award No.	24/2003-04
Village	Narela
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 Announcement of LAC Award:	29.01.2004
Date of possession	24.06.2004

Date of Receipt of Reference : 09.10.2019

Date of Arguments : 30.03.2026

Date of Decision : 30.03.2026

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 1138 bighas 03 biswa of village Narela, Delhi, was acquired by the Government for 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 of the LA Act 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 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 petitioners is that the petitioners were the owners /bhumidhars of the land bearing in 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 trial, situated within the Revenue Estate of Village Narela, Delhi (the said land). The said land was acquired vide notification dated **02.05.2001**.

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.

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

9. During the proceedings, the petitioner Chhatar Singh expired and consequently, an application u/o 22 Rule 3 CPC was moved to implead his LRs. The said application was allowed vide order dt. 20.05.2024. However, LRs of petitioner shall not be entitled to interest for the period w.e.f 01.06.2022 till 04.10.2023. As per the submissions of counsel for the petitioner, P1/Rajender Singh had already expired however, neither application for impleadment u/o 22 Rule 3 CPC was moved nor anyone had appeared on their behalf. Accordingly, the petition as regards P-1/Rajender Singh was abated vide order dt. 27.03.2026. Thereafter, an application u/o 22 Rule 3 CPC alongwith application under Order 47 Rule 1 CPC r/w Order 9 Rule 9 CPC filed on behalf of LRs of P1. The said applications are allowed on 30.03.2026 qua the abatement

of P-1 ordered on 27.03.2026 is set aside and LRs of P-1 are hereby impleaded. Amended memo of parties filed.

10. During trial, 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, the counsel for the petitioner on behalf of the petitioner has relied upon the judgment in a case titled as Jai Singh Vs. UOI LAA 266/08.

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 respondent no.1/UOI.

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)** case 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's** case (Supra), an elaborate and detailed discussion was made before determining the amount of compensation. With respect to the land of the village Narela (involved herein), acquired through the same notification (as made herein), Hon'ble Mr. Justice Pradeep Nandrajog, Judge determined the market value of the land as Rs.16,16,500/- *per acre*. The relevant para-72 of the said judgment is reproduced herein for the sake of convenience:

Village Narela Notification dated 2-5-2001

72. With reference to the notification dated 9.8.2001 wherein with effect from 1.4.2001 minimum price notified per acre is '15.7 lakhs per acre and requiring said price to be suitably updated to reach the date of the notification i.e. 2.5.2001 and with reference to the sale deed dated 25.5.2002 wherein for Category 'C' lands, land price per acre comes to '17,74,109/-, rounded off to '17,75,000/- per acre, and for Category 'B' lands increasing the same by 2.5% the price comes LA. App.

No.266/2008 & connected matters Page 63 of 74 to '18.2 lakhs per acre and further increasing by 2.5% the prices comes to '18,65,500/- per acre for Category 'A' lands; and decreasing the said prices by 11% to reflect the price with reference to the sale deed for the date 2.5.2001; the mean average price for Category 'A' lands in village Narela comes to '16,16,500/- per acre and decreasing the same by 2.5%, it comes to '15,76,087/- per acre for Category 'B' lands. Noting that the learned Reference Court has, without any reasons, done away with Category 'B' lands and uniform price awarded is '15,85,570/- per acre and since for Category 'B' lands the price worked out by me is less by '9,000/- per acre which is a meager amount, I hold that for Category 'B' lands the price determined would be as per the reference but for Category 'A' lands the price stands enhanced to '16,16,500/- 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 **Jai Singh's case (Supra)**. The fair market value of the acquired land is adjudicated as Rs. 16,16,500/- per acre as determined in **Jai Singh's case (Supra)**. Accordingly, I hold that the petitioner would be entitled to market value @Rs.16,16,500/-per acre (category A) and Rs.15,85,570/- per acre (category B) which ever is applicable.

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.16,16,500/- per acre (category A) and Rs. 15,85,570/- per acre (category B) which ever is applicable 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. **However, LRs of petitioner Chhatar Singh shall not be entitled to interest for the period w.e.f 01.06.2022 till 04.10.2023.**

20. 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.

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 dated 30.03.2026.**

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

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