

IN TH E SUP R E M E COUR T OF INDI A

CIVI L AP P E L L A T E JUR I S D I C T I O N

CIVI L AP P E A L NOS.3 1 2 9 - 31 4 7 OF 20 0 0

STA T E OF HAR Y A N A

Appellant (s)

VE R S U S

JI T SIN G H & ORS

Respondent(s)

O R D E R

These appeals are directed against a Division Bench Judgment dated 18. 1 2 . 1 9 9 6 of the Punj ab and Haryana High Court at Chandigarh.

Brief facts which are necessary for the disposal of these appeals are recapitulated as under:

The appellant- State of Haryan a, acquired about 20 0 . 7 1 acres of land situated in Village Maheshpur, Tehsil Kal k a, District Ambala for development and utilisation of Industrial area. The Land Acquisition Collector vide his award dated 1 7 . 9 . 1 9 8 6 assessed the market value of the land "as one unit" at the rate of Rs.5 7 2 8 0 / - for Chachi, Rs. 3 8 2 4 0 / - for Ba r a ni, Rs. 1 9 0 4 0 / - for Banja r and Rs. 9 4 4 0 / - for Gair Mumkin Rasta per acre. On reference being sought under Section 1 8 of the Act, the District Judge awarded Rs.1, 5 0 , 0 0 0 / - per acre uniforma lly.

On appeal, learned single Judge with comprehensive reasons

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increased the amount of compensation to Rs. 1, 9 6 , 0 0 0 / - per acre.

An L P A was filed before the Division Bench. The Division

Bench in its judgment recorded the following findings:

"In our considered view the mar ket value of the land on which a willing seller would sell to a willing purchaser cannot be in any manner less than Rs. 2, 5 0 , 0 0 0 / - per acre. Thus taking into consideration the totality of the evidence brought on record, relying on awards C-2 and C-4, we assess the mar ket value of the land in dispute at Rs. 2, 2 5 , 0 0 0 / - per acre. "

We have heard learned counsel for the parties.

We find no infirmity in the impugned judgment. No interference is called for. Before we part with, we would like to

mention here that admittedly the respondents have only been paid compensation at the rate of Rs.1, 9 6 , 0 0 0 / - per acre as awarded by the learned Single Judge. In case the balance compensation has not yet been paid, the same will be paid within two months with interest at the rate of 12% p.a.

The appeals are, accordingly, disposed of.

.....J.
(Dalveer Bha nd a ri)

.....J.
(Harjit Singh Bedi)

New Delhi;
November 06, 2 0 0 8 .

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IT E M NO.1 0 1

COUR T NO.1 0

S E C T I O N IV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S
C I V I L A P P E A L N O (s) . 3 1 2 9 - 3 1 4 7 O F 2 0 0 0

S T A T E O F H A R Y A N A

Appellant (s)

VER SUS

J I T S I N G H & O R S

Respondent(s)

(With office report)

W I T H
Civil Appeal NO. 49 5 2 of 2 0 0 0
(With office report)

Date: 06 / 1 1 / 2 0 0 8 These Appeals were called on for hearing today.

CORAM :
HON'BLE MR. JUS T I C E D A L V E E R B H A N D A R I
HON'BLE MR. JUS T I C E H A R J I T S I N G H B E D I

For Appellant(s) Mr.T.V.George,Adv.

Mr. S.K. Sabh a rwa l, Adv. (N.P.)

For Respondent(s) Mr. R. K. Talwa r, Adv.
Mr. Yash P al Dhingra,Adv.

Mr. Aseem Mehrotra, Adv.
Mr. Abhijat P. Medh ,Adv

Rr- Ex- P a rte

Mr.T.V.George, Adv.

UPON hearing counsel the Court made the following
O R D E R

C.A. Nos.3 1 2 9 - 3 1 4 7 / 2 0 0 0
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The appeals are disposed of in terms of the signed order.

C.A. No.4 9 5 2 / 2 0 0 0

This appeal is de-linked. List separately.

(K.K. Chawla)
Court Master

(Neeru Bal a Vij)
Court Master

[Signed order in C.A. Nos.3 1 2 9 - 3 1 4 7 / 2 0 0 0 is placed on the file]