

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1481 OF 2010

JAGJIT SINGH AHLUVALIA & ANR.

...APPELLANT(S)

VERSUS

IMPROVEMENT TRUST,  
DISTRICT LUDHIANA & ORS.

...RESPONDENT(S)

WITH

CIVIL APPEAL NO. 1483 OF 2010

CIVIL APPEAL NO. 1838 OF 2010

SPECIAL LEAVE PETITION (C) NO. 10844 OF 2011

SPECIAL LEAVE PETITION (C) NO.10845 OF 2011

SPECIAL LEAVE PETITION (C) NO.10852 OF 2011

O R D E R

1. Since the facts involved in the present appeals and special leave petitions are identical, for the sake of convenience, we would notice the facts only in Civil Appeal No.1481 of 2010.

Signature Not Verified

Digitally signed by  
NEETU KHAJURIA  
Date: 2015.05.18  
13:04:41 IST  
Reason:

2

Civil Appeal No.1481 of 2010

2. The facts in brief are: The Punjab Government on behalf of the respondent-Improvement Trust, issued a Notification under Section 36 of the Punjab Town Improvement Act, 1922, (for short, "the Act"), to acquire land to the extent of 5.5 Acres approximately located in the revenue estate of Khanna for the purpose of development of residential-cum-commercial centre on Samadhi Road,

Khanna, dated 14.09.1973. The sanction for the same was accorded by the State of Punjab under Section 41 of the Act on 12.09.1976.

3. The Land Acquisition Collector (for short, "the LAC"), determined the compensation for the land at the rate of Rs.279/- per marla, vide award dated 14.08.1978.

4. The appellant-claimants herein, not being satisfied with the compensation so awarded by the LAC, sought for a reference, before the Tribunal

3

established under the Act, for determination of the actual market value of the acquired land. The Tribunal, after considering the evidence on record and relying on the sale transactions produced by the parties, held that the land in question has potential for commercial and residential purposes, since it is located near the main city and the GT Road. Therefore, the Tribunal fixed the market value of the acquired lands at the rate of Rs.39/- per square yard for land for the area upto 26 feet depth from the GT Road and Rs.26/- per square yard for the remaining land, vide award dated 22.10.1986.

5. Aggrieved by the said award, the appellants-claimants filed Writ Petition before the High Court seeking enhancement of the compensation.

The High Court has partly allowed the appeal, upholding the findings of the Tribunal, however found that the compensation must be awarded on the entire land as one block. Therefore, the High Court modified the impugned award by enhancing the

4

compensation for the entire land at the rate of

Rs.39/- per square yard.

6. Aggrieved by the order so passed by the High Court, the appellants-claimants are before us in this appeal.

7. We have heard the counsel for the parties to the lis and carefully perused the records of the case including judgments and orders passed by the Courts below.

8. Keeping in view the facts and circumstances of the case, we are of the considered opinion that it would be appropriate to enhance the compensation so awarded by the High Court from Rs.39/- per square yard to Rs.50/- per square yard for the entire land, along with all statutory benefits on the enhanced amount, from the date of the judgment and order passed by the High Court.

5

9. Accordingly, the impugned order passed by the High Court is modified to the above extent.

10. The Civil Appeal is disposed of in the aforesaid terms.

Ordered accordingly.

C.A. Nos. 1483 and 1838 of 2010 and  
S.L.P. (C) Nos. 10844, 10845 and 10852 of 2011

11. In view of the order passed by us in Civil Appeal No.1481 of 2010, these appeals and special leave petitions, filed by the Respondent-Improvement Trust are also disposed of accordingly.

.....CJI.  
(H.L. DATTU)

.....J.

(ARUN MISHRA)

.....J.  
(AMITAVA ROY)

NEW DELHI,  
MAY 12, 2015.

6

ITEM NO.104

COURT NO.1

SECTION IV

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Civil Appeal No(s). 1481 of 2010

JAGJIT SINGH AHLUVALIA & ANR.

Appellant(s)

VERSUS

IMPROVEMENT TRUST, DIST. LUDHIANA & ORS.

Respondent(s)

(with office report)

WITH

C.A. No. 1483/2010

(With Office Report)

C.A. No. 1838/2010

(With appln.(s) for early hearing, stay and Office Report)

SLP(C) No. 10844/2011

(With Office Report)

SLP(C) No. 10845/2011

(With Office Report)

SLP(C) No. 10852/2011

(With Office Report)

Date : 12/05/2015 These appeals and special leave petitions  
were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE AMITAVA ROY

For Appellant(s) Mr. Sanjeev Malhotra, Adv.

Mr. Salil Sagar, Sr. Adv.

Mr. Suresh C. Gupta, Adv.

Mr. Birendra Kumar Mishra, Adv.

Mr. Praneet Ranjan, Adv.

For Respondent(s) Mr. Neeraj Kumar Jain, Sr. Adv.

Mr. Pratham Kant, Adv.

7

Mr. Aniket Jain, Adv.

Mr. Ravneet Singh Joshi, Adv.

Mr. Ugra Shankar Prasad, Adv.

Mr. Salil Sagar, Sr. Adv.

Mr. Suresh C. Gupta, Adv.

Mr. Birendra Kumar Mishra, Adv.

Mr. Praneet Ranjan, Adv.

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

The civil appeals and special leave  
petitions are disposed of in terms of the  
signed order.

(Neetu Khajuria)  
Sr.P.A.

(Vinod Kulvi)  
Assistant Registrar

(Signed order is placed on the file.)