

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3083 OF 2016
(Arising out of SLP (c) No. 8037 of 2013)

RAJINDER SINGH

PETITIONER

VERSUS

STATE OF HARYANA & ORS.

RESPONDENTS

O R D E R

1. Leave granted.

2. The dispute in this case is very narrow and it is not in dispute that the High Court has correctly relied upon Exhibit P-3 document. Exhibit P-3 is a document covering the property of 150 sq. yd. The valuation shown in the document is Rs.10/- per sq. yd. and Rs.4800/- per acre.

3. Unfortunately, there is a calculation error committed by the High Court in arriving at the value per acre. If it is Rs.10/- per Sq. Yd. then the value per acre comes to Rs.48,400/- which has wrongly been taken Rs.15,000/- per acre.

4. The learned counsel for the respondents submits that being a small extent of land, 25% has been rightly deducted by the High Court. We have no quarrel with the submission. If Rs. 48,400/- per acre value is taken, on Exhibit P-3

document, and when escalation for five years at the rate of 10% per year is added, it will come to Rs.72,600/-. As rightly pointed out by the learned counsel for the respondents, 25% is to be deducted which will be the land value. The appellant shall also be entitled to all statutory benefits.

5. The appeal is allowed to the above extent. Rest is for the Executing Court to take up further action.

.....J.
(KURIAN JOSEPH)

.....J.
(ROHINTON FALI NARIMAN)

NEW DELHI;
MARCH 18, 2016

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

Petition(s) for Special Leave to Appeal (C) No(s). 8037/2013

(Arising out of impugned final judgment and order dated 25/09/2012 in RFA No. 1100/2004 passed by the High Court of Punjab & Haryana at Chandigarh)

RAJINDER SINGH

Petitioner(s)

VERSUS

STATE OF HARYANA & ORS.

Respondent(s)

(with appln. (s) for exemption from filing O.T. and office report)

Date : 18/03/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Shish Pal Laler, Adv.
Mr. Sonit Sinhmar, Adv.
Mr. Balbir Singh Gupta, Adv.For Respondent(s) Mr. Arun Kumar, Adv.
Mr. Sanjay Kumar Visen, Adv.UPON hearing the counsel the Court made the following
O R D E R

The appeal is allowed in terms of the signed order.

Pending application(s) shall stand disposed of.

(Rajni Mukhi)
Sr. P.A.(Renu Diwan)
Court Master

(Signed order is placed on the file)