

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). 4117 OF 2003

UNION OF INDIA

Appellant

(s)

VERSUS

OM PRAKASH (D) BY LRS. & ORS.

Respondent

(s)

(With appln(s) for c/delay in filing SLP)

WITH CIVIL APPEAL NO.4204/2004

(with office report)

S.L.P.(C) NO. 12527 of 2003

S.L.P.(C) NO. 8906 of 2003

(With appln(s) for c/delay in filing SLP)

(With prayer for interim relief)

S.L.P.(C) NO. 12246 of 2003

(With appln(s) for c/delay in filing SLP)

(With prayer for interim relief)

S.L.P.(C) NO. 11297 of 2003

(With appln(s) for c/delay in filing SLP)

(With prayer for interim relief)

S.L.P.(C) NO. 11298 of 2003

(With appln(s) for c/delay in filing SLP)

(With prayer for interim relief)

S.L.P.(C) NO. 11299 of 2003

(With appln(s) for c/delay in filing SLP)

(With prayer for interim relief)

S.L.P.(C) NO. 11300 of 2003

(With appln(s) for c/delay in filing SLP)

(With prayer for interim relief)

S.L.P.(C) NO. 11302 of 2003

S.L.P.(C) NO. 11295 of 2003

S.L.P.(C) NO. 2665 of 2004

S.L.P.(C) NO. 2666 of 2004

(With appln(s) for c/delay in filing SLP)

(with prayer for interim relief)

S.L.P.(C) NO. 8193 of 2004

Date: 20/07/2005 These Appeals & Petitions were called on for hearing  
today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE S.B. SINHA

For the parties

Mrs. Indra Sawhney, Adv.

(UOI)

Mrs. Rekha Pandey, Mrs. Sunita Sharma,

Mr. T.A. Khan, Ms. Anjani Aiyangri,

Mrs. Anil Katiyar, Mrs. Kiran Bhardwaj,

Mr. D.S. Mahra, Advs.

Mr. Vishnu B. Saharya, Adv.

for Ms/Saharya & Co.

Mr. Nitin Bhardwaj, Mr. S.K. Rout,

Mr. Prakash Shrivastava, Advs.

Mr. Dhruv Mehta, Adv.

Mr. Mohit Chaudhry, Mr. Om Prakash,

Mr. Harsh Vardhan Jha, Advs.

for M/S K.L. Mehta & Co.

Mr. Uma Datta, Adv.

Mr. Debasis Misra, Adv.

Mr. Praveen Swarup, Adv.

UPON hearing counsel the Court made the following

O R D E R

CA No. 4117 of 2003

To be taken up with Item No. 103 i.e. Civil Appeal  
No. 1428/2004 & batch.

CA No. 4204/2004

The land acquired in this case is of village Chilla  
Saroda Bangar. It is stated that this case has been wrongly  
tagged with the present set of cases. De-linked and ordered  
to be tagged with S.L.P.(C) No.14646 of 2004.

CA No...../2005 @ SLP(C) No.12527 of 2003.

Leave granted.

Appeal is allowed in terms of the signed order.

CA Nos...../2005 @ SLP(C) Nos.8906/2003

Delay condoned.

Leave granted.

Appeal is disposed of in terms of the signed order.

CA Nos...../2005 @ SLP(C) Nos.8193/2004

Delay condoned.

Leave granted.

Appeal is disposed of in terms of the signed order.

SLP Nos.12246, 11297, 11298, 11299, 11300, 11302,  
11295 of 2003 and SLP(C) Nos.2665 & 2666 of 2004

Delay condoned.

In view of the judgment passed by this Court in Civil  
Appeal No.9147 of 1995 titled Gyan Chand vs. Union of India  
decided on 12th November, 2002, these Special Leave Petitions  
are dismissed.

(Parveen Kr. Chawla)

(Kanwal Singh)

Court Master

Court Master

[Signed Order is placed on the File]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.....OF 2005

(Arising out of SLP(C) No.12527/2003)

Union of India

..Appellant

Versus

Bedi Ram & Another

..Respondents

WITH

O R D E R

Leave granted.

Two notifications under Section 4 of the Land Acquisition Act, 1894

(hereinafter referred to as 'the Act'), were issued on 17.11.1980 & 25.02.1981 for

acquiring the land in village Kondli for planned development of Delhi. The Land

Acquisition Collector had fixed the market value of lands in question at Rs.8,000/-

per Bigha. Claimants, being not satisfied with the compensation awarded, filed

Reference Application under Section 18 of the Act. Additional District Judge, Delhi

vide his judgment enhanced the compensation fixing the market value at Rs.76,550/-

per bigha. Still not satisfied, the claimants filed RFA No.149 of 1988 before the High

Court of Delhi. The High Court allowed the appeal fixing the market value at

Rs.345/- per sq. yd. which would come

to Rs.3,45,000/- per bigha.

Aggrieved against the order of the High Court, the Union of India filed the present special leave petition in which leave is granted.

Counsel for the parties state that the issue involved in this case is covered by a judgment of this Court in Delhi Development Authority vs. Bali Ram Sharma & Others [2004 (6) SCC 533] in which this Court accepted the appeals filed by the Union of India and Delhi Development Authority. The order of the High Court

was set aside and that of the reference court was upheld with some modifications.

As the matter under consideration is covered by a judgment in Delhi

Development Authority vs. Bali Ram Sharma & Others [2004 (6) SCC 533], we allow

this appeal, set aside the order of the High Court and restore the order of the

reference court with the same modifications in terms of the judgment in Delhi

Development Authority vs. Bali Ram Sharma & Others [2004 (6) SCC 533].

Appeal is allowed in the above terms.

CA Nos...../2005 @ SLP(C) Nos.8906/2003

Leave granted.

In this appeal, notification under Section 4 of the Land Acquisition Act,

1894 was issued on 17th November, 1980 for acquiring the land at village Dallupura,

Delhi for planned development of Delhi.

Appeal is disposed of in terms of the judgment of this Court in Delhi

Development Authority vs. Bali Ram Sharma & others [2004 (6) SCC 533].

CA Nos...../2005 @ SLP(C) Nos.8193/2004

Leave granted.

In this appeal, notification under Section 4 of the Land Acquisition Act,

1894 was issued on 25th February, 1981 for acquiring the land at village kondli, Delhi

for public purposes i.e. for construction of Sewerage treatment plant.

Appeal is also disposed of in terms of the judgment of this Court in Delhi

Development Authority vs. Bali Ram Sharma & others [2004 (6) SCC 533].

.....J.

.....

[ASHOK BHAN]

NEW DELHI;

.....J.

.....

JULY 20, 2005.

[S.B. SINHA]