

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5299 OF 2014
(@ SPECIAL LEAVE PETITION(C)NO.20483 OF 2004)

MATTERS FILED BY GOVERNMENT/AUTHORITY:

UNION OF INDIA AND ANR. ... APPELLANT
VERSUS
MANSA RAM ... RESPONDENT

WITH

C.A.NO. 5300 OF 2014 @ S.L.P.(C)NO.20484 OF 2004
C.A.NO. 5301 OF 2014 @ S.L.P.(C)NO.20485 OF 2004
C.A.NO. 5302 OF 2014 @ S.L.P.(C)NO.20487 OF 2004
C.A.NO. 5303 OF 2014 @ S.L.P.(C)NO.20489 OF 2004
C.A.NO. 5304 OF 2014 @ S.L.P.(C)NO.20490 OF 2004
C.A.NO. 5305 OF 2014 @ S.L.P.(C)NO.20491 OF 2004
C.A.NO. 5306 OF 2014 @ S.L.P.(C)NO.20493 OF 2004
C.A.NO. 5307 OF 2014 @ S.L.P.(C)NO.20496 OF 2004
C.A.NO. 5308 OF 2014 @ S.L.P.(C)NO.20498 OF 2004
C.A.NO. 5459 OF 2014 @ S.L.P.(C)No.20500 OF 2004
C.A.NO. 5309 OF 2014 @ S.L.P.(C)NO.361 OF 2005
C.A.NO. 5310 OF 2014 @ S.L.P.(C)NO.362 OF 2005
C.A.NOS.5311-12 OF 2014 @ S.L.P.(C)NOS.2822-2823 OF 2005
C.A.NOS.5313-14 OF 2014 @ S.L.P.(C)NOS.2824-2825 OF 2005
C.A.NO. 5315 OF 2014 @ S.L.P.(C)NO.2826 OF 2005
C.A.NO. 5316 OF 2014 @ S.L.P.(C)NO.2827 OF 2005
C.A.NO. 5317 OF 2014 @ S.L.P.(C)NO.3412 OF 2005
C.A.NO. 5318 OF 2014 @ S.L.P.(C)NO.5968 OF 2005
C.A.NO. 5319 OF 2014 @ S.L.P.(C)NO.5969 OF 2005
C.A.NO. 5320 OF 2014 @ S.L.P.(C)NO.5970 OF 2005
C.A.NO. 5321 OF 2014 @ S.L.P.(C)NO.5971 OF 2005
C.A.NO. 5322 OF 2014 @ S.L.P.(C)NO.5972 OF 2005
C.A.NO. 5323 OF 2014 @ S.L.P.(C)NO.5973 OF 2005
C.A.NO. 5324 OF 2014 @ S.L.P.(C)NO.5974 OF 2005
C.A.NO. 5325 OF 2014 @ S.L.P.(C)NO.5975 OF 2005
C.A.NO. 5326 OF 2014 @ S.L.P.(C)NO.5977 OF 2005
C.A.NO. 5327 OF 2014 @ S.L.P.(C)NO.6179 OF 2005
C.A.NO. 5328 OF 2014 @ S.L.P.(C)NO.6883 OF 2005

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C.A.NO. 5329 OF 2014 @ S.L.P.(C)NO.6884 OF 2005
C.A.NO. 5330 OF 2014 @ S.L.P.(C)NO.6889 OF 2005
C.A.NO. 5331 OF 2014 @ S.L.P.(C)NO.12737 @ CC 1944 OF 2005
C.A.NO. 5332 OF 2014 @ S.L.P.(C)NO.12738 @ CC 3934 OF 2005
C.A.NO.5458 OF 2014 @ S.L.P.) NO.20497 OF 2004

O R D E R

1. Delay, if any, in filing the application for substitution(s) is/are condoned.

2. Application(s) for substitution, if any, is/are allowed.
3. Delay, if any, in filing and re-filing the Special Leave

Petitions is condoned.

4. Leave granted.

5. These appeals are directed against the judgment and order passed by the High Court of Delhi at New Delhi in R.F.A.No.447 of

1995, disposed of on 26.7.2002 and other connected matters.

6. Since the issue is common in all these appeals, we decide all these appeals by this common order and the facts of Civil Appeal

@ Special Leave Petition (C) No.20483 of 2004 is taken for the sake of convenience.

7. The acquiring authority had issued a Notification under Section 4 of the Land Acquisition Act, 1894 (for short, "the Act") dated 26.08.1967 to acquire the lands situate in village Beharipur and dated 16.09.1968 to acquire the lands situate in village Karawal Nagar for the purpose of the planned development of Delhi. After considering the objections filed by the land losers, the acquiring authority has issued a declaration under Section 6 of the Act, dated

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28.05.1968 in respect of village Beharipur and dated 13.09.1971 in respect of village Karawal Nagar.

8. The Land Acquisition Officer, after considering the claims made by land losers, by his award dated 30.06.1983 has fixed the

market value of the lands acquired at Rs.3,500/- per bigha and Rs.3,230/- per bigha respectively for category 'A' and 'B' lands situate at village Beharipur and Rs.3,500/- and Rs.1,500/- per bigha respectively for the category 'A' and 'B' lands situate at village Karawal Nagar.

9. Aggrieved by the compensation so awarded by the Land Acquisition Officer, the land losers had made a request to make a reference under Section 18 of the Act for determination of the fair and reasonable compensation to the land losers.

10. The Reference Court, after registering the reference and after recording the evidence of the parties, by its award dated 27.01.1994 fixed the market value of the land at Rs.5,280/- per bigha for category 'A' land and Rs.5,010/- per bigha for category 'B' lands for village Beharipur and Rs.5,640/- per bigha for the land situate at village Karawal Nagar.

11. Being aggrieved by the compensation so awarded by the Reference Court, the land losers approached the High Court by filing Regular First Appeals. The acquiring authority has also filed its cross objections.

12. The High Court by its impugned judgment and order dated 26.07.2002 after considering the claim of the land losers and after going into the facts and circumstances of the cases has fixed the market value at Rs.7,500/- per bigha for the lands situate at

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village Beharipur and Rs.8,000/- per bigha for the lands situate at

village Karawal Nagar.

13. Aggrieved by the order so passed by the High Court, the appellants are before us in these appeals.

14. We have heard Ms. Rekha Pandey, learned counsel for the appellant and other learned counsel for the contesting respondents.

15. After carefully going through the records of the case(s) and the impugned judgment(s) and order(s) passed by the High Court, we are of the considered opinion that the High Court has not committed any error whatsoever which would call for our interference in these appeals. Accordingly, while dismissing these appeals, we affirm the

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impugned judgment(s) and order(s) passed by the High Court. No order as to costs.

MATTERS FILED BY INDIVIDUALS:

CIVIL APPEAL NO. 5460 OF 2014
(@ SPECIAL LEAVE PETITION(C)NO.6881 OF 2005)

J.N.DHAMIJA (DEAD)THROUGH LRS. ... APPELLANT(S)

VERSUS

UNION OF INDIA ... RESPONDENT

WITH

C.A.NO.	5461	OF	2014	@	S.L.P.(C)NO.6882	OF	2005
C.A.NO.	5462	OF	2014	@	S.L.P.(C)NO.6885	OF	2005
C.A.NO.	5463	OF	2014	@	S.L.P.(C)NO.6887	OF	2005
C.A.NO.	5464	OF	2014	@	S.L.P.(C)NO.6890	OF	2005

O R D E R

1. Delay, if any, in filing the application for substitution(s) is/are condoned.

2. Application(s) for substitution, if any, is/are allowed.

3. Delay, if any, in filing and re-filing the Special Leave Petitions is condoned.

4. Leave granted.

5. In these matters the appellants/claimants are before us, inter alia, seeking enhancement of compensation that was awarded by the High Court.

6. In our view, the issues raised in these appeals are no

more debatable in view of the decision of this Court in the case of Union of India vs. Pramod Gupta (Dead) by Lrs. and others, reported

with office report),
SLP(C)No.5971/2005(With Appl.(s) for c/delay in filing SLP and
with office report),
SLP(C)No.5972/2005(With Appl.(s) for c/delay in filing SLP),
SLP(C)No.5973/2005(With Appl.(s) for c/delay in filing SLP),
SLP(C)No.5974/2005(With Appl.(s) for c/delay in filing SLP and
with office report),
SLP(C)No.5975/2005(With Appl.(s) for c/delay in filing SLP and
with office report),

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SLP(C)No.5977/2005(With Appl.(s) for c/delay in filing SLP and
with office report),
SLP(C)No.6179/2005(With Appl.(s) for c/delay in filing SLP and
with office report),
SLP(C)No.6883/2005(With Appl.(s) for c/delay in filing SLP and
with office report),
SLP(C)No.6884/2005(With Appl.(s) for c/delay in filing SLP and
with office report),
SLP(C)No.6889/2005(With Appl.(s) for c/delay in filing SLP and
with office report),
SLP(C)...CC 1944/2005(CC 1944)(With Appl.(s) for c/delay in filing
SLP and with office report),
SLP(C)...CC 3934/2005(CC 3934)(With Appl.(s) for c/delay in filing
SLP and with Prayer for Interim Relief and Office Report),

MATTERS FILED BY INDIVIDUALS

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SLP(C)No.6881/2005
(WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND C/DELAY IN
REFILING SLP AND OFFICE REPORT)
WITH
SLP(C)No.6882/2005(With Appl.(s) for c/delay in filing SLP and
with office report),
SLP(C)No.6885/2005(With Appl.(s) for c/delay in filing SLP and
with office report),
SLP(C)No.6887/2005(With Appl.(s) for c/delay in filing SLP and
with office report),
SLP(C) No. 6890/2005
(With appln. for c/delay in filing SLP and with office report)
Date: 30/04/2014 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s) Ms.Rekha Pandey, Adv.
Ms.Sunita Sharma, Adv.
Mr.Asit Tiwari, Adv.
For Mrs Anil Katiyar,Adv.
For Mr.D.S.Mahra, Adv.

Ms.Tabinda Suman, Adv.
for Mr. Chanchal Kumar Ganguli, Adv.
Mr.Vishnu B.Saharya, Adv.
Mr.Viresh B.Saharya, Adv.
For M/S Saharya & Co., Advs.

Mr. Ranbir Singh yadav, Adv.
Mr. P.K. Jayakrishnan, Adv.
Mr. Amarjit Singh Bedi, Adv.

Ms. Puja Sharma, Adv.
Ms. Naresh Bakshi, Adv.

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Mr. M.P. Shorawala, Adv.

Mr. S.K. Dhingra, Adv.

Ms. Rachana Srivastava, Adv.

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

MATTERS FILED BY GOVERNMENT/AUTHORITY:

SPECIAL LEAVE PETITION(C)NO.20483 OF 2004

S.L.P.(C)NO.20484 OF 2004

S.L.P.(C)NO.20485 OF 2004

S.L.P.(C)NO.20487 OF 2004

S.L.P.(C)NO.20489 OF 2004

S.L.P.(C)NO.20490 OF 2004

S.L.P.(C)NO.20491 OF 2004

S.L.P.(C)NO.20493 OF 2004

S.L.P.(C)NO.20496 OF 2004

S.L.P.(C)NO.20498 OF 2004

S.L.P.(C)NO.20500 OF 2004

S.L.P.(C)NO.361 OF 2005

S.L.P.(C)NO.362 OF 2005

S.L.P.(C)NOS.2822-2823 OF 2005

S.L.P.(C)NOS.2824-2825 OF 2005

S.L.P.(C)NO.2826 OF 2005

S.L.P.(C)NO.2827 OF 2005

S.L.P.(C)NO.5968 OF 2005

S.L.P.(C)NO.3412 OF 2005

S.L.P.(C)NO.5969 OF 2005

S.L.P.(C)NO.5970 OF 2005

S.L.P.(C)NO.5971 OF 2005

S.L.P.(C)NO.5972 OF 2005

S.L.P.(C)NO.5974 OF 2005

S.L.P.(C)NO.5973 OF 2005

S.L.P.(C)NO.5975 OF 2005

S.L.P.(C)NO.5977 OF 2005

S.L.P.(C)NO.6179 OF 2005

S.L.P.(C)NO.6833 OF 2005

S.L.P.(C)NO.6884 OF 2005

S.L.P.(C)NO.6889 OF 2005

S.L.P.(C)NO. CC 1944 OF 2005

S.L.P.(C)NO. CC 3934 OF 2005

SLP(C)No.20497 OF 2004:

Delay, if any, in filing the application for substitution(s) is/are condoned.

Application(s) for substitution, if any, is/are allowed.

Delay, if any, in filing and re-filing the Special Leave Petitions is condoned.

Leave granted.

Appeals are dismissed with no order as to costs, in terms

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of the signed order.

MATTERS FILED BY INDIVIDUALS:

SPECIAL LEAVE PETITION(C)NO.6881 OF 2005

S.L.P.(C)NO.6882 OF 2005

S.L.P.(C)NO.6885 OF 2005

S.L.P.(C)NO.6887 OF 2005

S.L.P.(C)NO.6890 OF 2005:

Delay, if any, in filing the application for substitution(s) is/are condoned.

Application(s) for substitution, if any, is/are allowed.

Delay, if any, in filing and re-filing the Special Leave

Petitions is condoned.
Leave granted.

Appeals are remitted to the High Court for fresh disposal, in terms of the signed order.

(G.V.Ramana)
Court Master

(Vinod Kulvi)
Asstt.Registrar

(Signed order is placed on the file)