

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.205-207 OF 2014

JAGIR SINGH AND ORS. .. APPELLANT(S)

VERSUS

STATE OF HARYANA AND ANR. ETC. .. RESPONDENT(S)

WITH

CIVIL APPEAL NOS.214-233 OF 2014

KAUSHALYA AND ORS. .. APPELLANT(S)

VERSUS

STATE OF HARYANA AND ANR. .. RESPONDENT(S)

O R D E R

1. These appeals are directed against the judgment and final order passed by the High Court of Punjab and Haryana at Chandigarh in R.F.A. No.2277 of 1995, R.F.A. No.3202 of 2007 and R.F.A. No.3215 of 2007 dated 27.05.2009, whereby and whereunder, the High Court has enhanced the compensation awarded to the claimants.

2. For the convenient disposal of these appeals, we would only notice the facts in Civil Appeal Nos.205-207 of 2014 as the lead case.

3. The brief facts of the case are that 372.26 acres of land was acquired for the purpose of development and utilization of land as residential, commercial, industrial and institutional area covering villages Kabri, Faridpur, Sarai Bachhra, Patti Magdum Judgan and Patti Taraf Insar, Panipat District, Haryana.

4. A notification was issued under Section 4 of the Land Acquisition Act, 1894 (for short, "the Act") for the acquisition of land, and was published in the Official Gazette on 10.6.1989. Subsequently, a declaration was issued under Section 6 of the Act and was published on 09.05.1990, on finalization of proceedings.

5. The Land Acquisition Officer (for short, "the L.A.O.") by Award No.4 for the year 1992-1993 classified the total land acquired from each village

under the categories of 'Chahi', 'Gair Mumkin', and 'Banzar Qadim' and granted compensation for the different categories of land. In village Patti Taraf Insar, the L.A.O. awarded compensation for the acquired land at Rs.2,00,000/- per acre for Chahi land, and Rs.1,50,000/- per acre for Gair Mumkin land.

6. Not being satisfied with the compensation so awarded by the L.A.O., the claimants made an application to the L.A.O. under Section 18 of the Act seeking reference to the Civil Court for enhancement of compensation. Accordingly, the L.A.O. referred the case of the respondents to the Reference Court.

7. Upon consideration of the entire evidence and material on record, the Reference Court was of the considered view that the compensation awarded by the L.A.O. was not adequate. Accordingly the Reference Court held that the claimants are entitled to compensation at Rs.81/- per square yard.

8. Aggrieved by the compensation awarded by the

Reference Court, the claimants as well as the State of Haryana preferred an appeal before the High Court, in which the claimants prayed for enhancement of compensation, whereas the State of Haryana prayed for reduction of compensation so awarded by the Reference Court. The High Court was of the considered view that the compensation awarded by the Reference Court was not adequate, and accordingly held that the claimants were entitled to compensation at Rs.139/ square yard.

9. Aggrieved by the judgment and order so passed by the High Court, the claimants are before us in these appeals.

10. We have heard learned counsel for the parties to the *lis*.

11. Having carefully perused the judgment and order passed by the High Court as well as the Reference Court and also the documents on record, we find no infirmity in the judgment and order passed by the High Court. We are of the considered opinion that the appeals, being devoid of any merit, deserve to be

dismissed and are accordingly dismissed.

REST OF THE MATTERS

EXCEPT CIVIL APPEAL NOS.205-207 OF 2014:

12. In view of the disposal of Civil Appeal Nos.205-207 of 2014, rest of the matters are also disposed of on the same terms, conditions, observations and directions.

Ordered accordingly.

.....CJI.
[H.L. DATTU]

.....J.
[S.A. BOBDE]

.....J.
[ARUN MISHRA]

NEW DELHI,
NOVEMBER 19, 2015.

ITEM NO.2

COURT NO.1

SECTION 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

Civil Appeal No(s). 205-207/2014

JAGIR SINGH & ORS.

Appellant(s)

VERSUS

STATE OF HARYANA & ANR.ETC.

Respondent(s)

(With office report)

WITH

C.A. No. 214-233/2014

(With Office Report)

Date : 19/11/2015 These appeals were called on
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.A. BOBDE
HON'BLE MR. JUSTICE ARUN MISHRA

For Appellant(s) Mr. Jasbir Singh Malik, Adv.
Ms. Usha Nandini V., Adv.

For Respondent(s) Mr. Govind Goel, Adv.
Mr. Sanjay Kumar Yadav, Adv.
Mr. Ankit goel, Adv.
Mr. Mohan Lal Sharma, Adv.

Mr. Kamal Mohan Gupta, Adv. (NP)

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

The appeals are dismissed in terms of the
signed order.

[Charanjeet Kaur]
A.R.-cum-P.S.

[Vinod Kulvi]
Asstt. Registrar

(Signed order is placed on the file)