

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). 2437 OF 2005

UNION OF INDIA

Appellant (s)

VERSUS

CHAMAN SINGH

Respondent(s)

Date: 15/09/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Appellant(s) Mr.Harish Chander, Sr.Adv.
Ms.Rekha Pandey,Adv.
Mr.Mukesh Verma,Adv.
Mrs.Anil Katiyar,Adv.

For Respondent(s)

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

The appeal is allowed in terms of the signed order.

(Naresh Kumar)
AR-cum-PS

(Phoolan Wati Arora)
Court Master

(Signed Order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2437 OF 2005

UNION OF INDIA

... Appellant

vs.

CHAMAN SINGH

... Respondent

O R D E R

This appeal is directed against judgment dated 24th August, 2001 of the Division Bench of Delhi High Court in RFA No.564 of 1994 by which market value of the acquired land fixed by Additional District Judge, Delhi (for short, 'the Reference Court') at the rate of Rs.76,550/- per bigha was modified and the

appellant was directed to pay compensation at the rate of

Rs.354/- per sq. yard with other statutory benefits.

A perusal of the record shows that by notification dated 17.11.1980 issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'), 1353 bighas 4 biswas land situated within the revenue estate of Village Dallupura was acquired for

planned development of Delhi. After holding inquiry under

Section 5A and considering the objections filed by the owners,

declaration under Section 6 of the Act was issued for an

area measuring 1367 bighas. The Land Acquisition Collector

passed award dated 9.3.1983 by which he assessed market value of the land ranging between Rs.12,500/- per bigha and Rs.6,000/- per bigha.

On an application filed by the respondent, the Collector made a reference under Section 18 of the Act. The reference Court fixed market value of the acquired land at Rs.76,500/- per bigha.

Feeling dissatisfied with the order of the Reference Court, the respondent filed an appeal under Section 54 of the Act, which was allowed by the learned Single Judge of the Delhi High Court and market value of the acquired land was fixed at the rate of Rs.354/- per square yard.

Learned counsel for the appellant pointed out that the issue raised in the appeal has already been decided by this Court in Union of India vs. Harpat Singh & others (2009) 14 SCC 375.

We have gone through the judgment relied upon by the learned counsel and are satisfied that the appeal deserves to be allowed in terms of that judgment. Ordered accordingly.

.....J.
[G.S. SINGHVI]

.....J.
[ASOK KUMAR GANGULY]

New Delhi,
Dated 15th September, 2010.