

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2004 OF 2007

GOVT. OF (N.C.T. OF) DELHI ..APPELLANT(S)

VERSUS

ARUNA & ORS. ..RESPONDENT(S)

O R D E R

1. This appeal is directed against the judgment and order passed by the High Court of Delhi at New Delhi in R.F.A. No.217 of 1975, dated 21.12.2001 whereby the High Court has allowed the appeal of the respondents-herein and enhanced the compensation awarded by the Reference Court.

2. Brief facts: The respondent-State had issued Notification No.F.15(107)/62-LSG, dated 19.07.1962 under Section 4 of the Land Acquisition Act, 1894 (for short "the Act") to acquire 2.5 acres of land at 22 Hardings Avenue, New Delhi,

currently known as 22, Tilak Marg, New Delhi for public purpose namely for establishing Women's Polytechnic. The declaration under Section 6 of the Act was issued on 06.11.1962.

3. The Land Acquisition Collector (for short, "the LAC") by his award dated 26.10.1966, determined the compensation payable for the acquired lands at Rs.39.60/- per sq yard, for the bungalow thereon at Rs.93,895/- and of the trees standing there at Rs.2,155/-.

4. The respondents/claimants, not being satisfied with the compensation so awarded by the LAC had sought for a reference under Section 18 of the Act to the Reference Court for determination of the actual market value of the land acquired by the Government. The LAC had referred the case of the respondents/claimants to the Reference Court. The Reference Court by order dated 18.03.1975 determined the market value of the land at the

rate of Rs.80/- per square yard and of the super-structures standing on the land at Rs.1,50,000/-.

5. Dissatisfied with the compensation awarded by the Reference Court, the respondents/claimants had preferred a Regular First Appeal before the High Court. The High Court allowed the said appeal and awarded compensation at the rate of Rs.295/- per square yards, by order dated, 21.12.2001. Aggrieved by the order so passed by the High Court, the appellants are before us in this appeal.

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

7. After going through the judgments and orders passed by the High Court and the Trial Court as well as the material available on record, we are of the considered opinion that the High Court while passing the impugned judgment and order has not done any error whatsoever which

would call for our interference. Accordingly, the
Civil Appeal is dismissed.

Ordered accordingly.

.....CJI.
(H.L. DATTU)

.....J.
(N.V. RAMANA)

.....J.
(ARUN MISHRA)

NEW DELHI
AUGUST 27, 2015.

ITEM NO.115

COURT NO.1

SECTION XIV

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). 2004/2007

GOVT. OF (N.C.T. OF) DELHI

Appellant(s)

VERSUS

ARUNA & ORS.

Respondent(s)

Date : 27/08/2015 This appeal was called on
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE N.V. RAMANA
HON'BLE MR. JUSTICE ARUN MISHRA

For Appellant(s) Ms. Rachana Srivastava,Adv.

For Respondent(s) Mr. E. C. Agrawala,Adv.

Mr. Yashraj Singh Deora,Adv.
Ms. Shreya Agrawal, Adv.

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

The civil appeal is dismissed in
terms of the signed order.

As a sequel to the above, pending
interlocutory application(s), if any,
is/are disposed of.

(Neetu Khajuria)
Sr.P.A.

(Vinod Kulvi)
Assistant Registrar

(Signed order is placed on the file.)