

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2013

(CC 9569/2013)

(From the judgement and order dated 14/08/2012 in FA No.681/1991 of The  
HIGH COURT OF JUDICATURE AT ALLAHABAD)

MEERUT DEVELOPMENT AUTHORITY

Petitioner(s)

VERSUS

FAQIR CHAND & ORS.

Respondent(s)

With I.A.1 (c/delay in filing SLP and office report)

WITH

S.L.P.(C)...CC NO. 9719 of 2013

With I.A.1 (c/delay in filing SLP and office report)

S.L.P.(C)...CC NO. 9725 of 2013

With I.A.1 (c/delay in filing SLP and office report)

S.L.P.(C)...CC NO. 9726 of 2013

With I.A.1 (c/delay in filing SLP and office report)

S.L.P.(C)...CC NO. 9794 of 2013

With I.A.1 (c/delay in filing SLP and office report)

S.L.P.(C)...CC NO. 10039 of 2013

With I.A.1 (c/delay in filing SLP and office report)

Date: 06/05/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

HON'BLE MR. JUSTICE SHARAD ARVIND BOBDE

For Petitioner(s) Mr. Vishwajit Singh, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

The delay of 129 and 130 days in filing the Special Leave  
Petitions is condoned.

The Government of Uttar Pradesh acquired various parcels of land  
situated at Village Aurangshahapur Diggi, Meerut for enabling the  
petitioner to implement a housing scheme known as 'Harsh Nagar Housing  
Scheme'. Notification under Section 4(1) of the Land Acquisition Act, 1894  
(for short, 'the Act') was issued on 12.2.1986 and the declaration under  
Section 6(1) was published on 13.2.1986. The Land Acquisition Collector  
passed award dated 23.2.1988 whereby he fixed market value of the acquired  
land at the rate of Rs.60/- per sq. yard.

On an application filed by the respondents under Section 18 of  
the Act, Additional District Judge-III, Meerut determined the amount of  
compensation at the rate of Rs.90/- per sq. yard.

The Division Bench of the High Court entertained the appeals  
filed by the respondents under Section 54 of the Act and declared that they  
are entitled to compensation at the rate of Rs.102/- per sq. yard.

We have heard learned counsel for the petitioner.

A perusal of the record shows that while determining the amount  
of compensation payable to the respondents, the Reference Court and the

High Court relied upon the following factors:

i) The acquired land is situated in the heart of the city; it is surrounded by roads one of which is Meerut-Garh road and the other two go to Ajanta Colony; it is close to medical college, Meerut University and three residential colonies.

ii) The sale deeds produced by the landowners relate to adjacent land.

iii) While the Reference Court took average value of the sale deeds produced by the respondents, the High Court held that the highest value, i.e., Rs.150/- per sq. yard at which similar parcels of land were sold should be taken into consideration for the purpose of determining the amount of compensation.

iv) Both the Reference Court and the High Court deducted Rs.15/- per sq. yard on the ground that the acquired land is low lying and further deduction of 25% due to largeness of the area.

In our opinion, the determination made by the High Court of the amount of compensation payable to the respondents is consistent with the law laid down by this Court and the impugned judgment does not call for interference under Article 136 of the Constitution.

The special leave petitions are, accordingly, dismissed.

The petitioner is directed to pay the amount of compensation to the respondents within two months from today.

(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Court Master