

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6256 OF 2015
(Arising out of S.L.P. (C) No. 37110 of 2012)

SAMAUNDER & ORS. .. APPELLANT(S)

VERSUS

HARYANA STATE AND ORS. .. RESPONDENT(S)

WITH
CIVIL APPEAL NO. 6257 OF 2015
(Arising out of S.L.P. (C) NO. 35774 OF 2012)

WITH
CIVIL APPEAL NO. 6258 OF 2015
(Arising out of S.L.P. (C) NO. 37114 OF 2012)

WITH
CIVIL APPEAL NO. 6259 OF 2015
(Arising out of S.L.P. (C) NO. 37115 OF 2012)

WITH
CIVIL APPEAL NO. 6260 OF 2015
(Arising out of S.L.P. (C) NO. 37118 OF 2012)

WITH
CIVIL APPEAL NO. 6261 OF 2015
(Arising out of S.L.P. (C) NO. 37119 OF 2012)

WITH
CIVIL APPEAL NO. 6262 OF 2015
(Arising out of S.L.P. (C) NO. 37120 OF 2012)

WITH
CIVIL APPEAL NO. 6263 OF 2015
(Arising out of S.L.P. (C) NO. 18285 OF 2013)

O R D E R

1. Delay, if any, in filing the applications for

substitution is condoned.

2. Applications for substitution, if any, 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 common judgment and order dated 28.05.2012 passed by the High Court of Punjab and Haryana at Chandigarh in Regular First Appeal Nos.4029, 4030, 4031, 4032, 4033, 4335, 4336, and 5368 of 2011.

6. For the convenient disposal of the matters, we will only notice the facts in Civil Appeal @ S.L.P. (C) No.37110 of 2012.

Civil Appeal No. 6256 of 2015
(@ S.L.P. (C) No.37110 of 2012)

7. The brief facts are: a notification under Section 4 and declaration under Section 6 read with Section 17 of the Land Acquisition Act, 1894 (for short, "the Act") was issued by the acquiring authority

on 17.01.2008 to acquire a large extent of land in village Kirori, Tehsil and District Hisar, Haryana for the construction of 400 KV substation at Kirori.

8. Pursuant to the notification so issued, the land owners/ appellants have filed their objections. After considering the objections so filed by the land owners/ appellants, the Land Acquisition Collector (for short "the LAC"), vide award dated 31.03.2008 assessed the market value of the acquired land @ Rs.8,00,000/- per acre.

9. The Appellants, being aggrieved by the compensation so awarded by the LAC had sought for a reference under Section 18 of the Act before the Reference Court, for determination of the fair compensation payable to the land owners/ appellants.

10. After registering the reference and recording the evidence of the parties, the Reference Court assessed the compensation of the land at Rs.9,50,000/- per acre.

11. Being aggrieved by the said order, the land owners/ Appellants filed Regular First Appeals before

the High Court. The respondents-herein had also filed their cross objections. The High Court by its impugned judgment and order had dismissed the appeals and the cross objections and upheld the order passed by the Reference Court.

12. Being aggrieved by the judgment and order passed by the High Court, the land owners/ Appellants are before us in these appeals.

13. We have heard learned counsels appearing for the respective parties and have also carefully perused the material available on record. After going through the same and in view of the peculiar facts and circumstances of the case, we are of the considered opinion that the amount of compensation awarded by the Reference Court be further enhanced by a sum of Rs.1,00,000/- per acre.

14. In view of the above, we allow this appeal and modify the judgment and order passed by the High Court as well as the Reference Court.

15. The land owners/ Appellants are now entitled for an additional sum of Rs.1,00,000/- per acre over and above the compensation so awarded by the Reference Court with all statutory benefits on the enhanced amount from the date of the order passed by the High Court.

16. We may clarify that this order is applicable *qua* the Appellants-herein only.

REST OF THE MATTERS

17. In view of the disposal of Civil Appeal @ S.L.P. (C) No.37110 of 2012, rest of the matters are also disposed of on the same terms, conditions, observations and directions.

Ordered accordingly.

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

.....J.
(PINAKI CHANDRA GHOSE)

.....J.
(ABHAY MANOHAR SAPRE)

NEW DELHI,
AUGUST 12, 2015.

ITEM NO.5

COURT NO.1

SECTION IVB

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

Petition(s) for Special Leave to Appeal (C) No(s). 37110/2012

(Arising out of impugned final judgment and order dated 28/05/2012 in RFA No. 4029/2011,28/05/2012 in LAC No. 399-LA/2000 passed by the High Court Of Punjab & Haryana at Chandigarh)

SAMAUNDER & ORS.

Petitioner(s)

VERSUS

HARYANA STATE & ORS.

Respondent(s)

WITH SLP(C) No. 35774/2012
(With Interim Relief and Office Report)

SLP(C) No. 37114/2012
(With Office Report)

SLP(C) No. 37115/2012
(With Office Report)

SLP(C) No. 37118/2012
(With Office Report)

SLP(C) No. 37119/2012
(With Office Report)

SLP(C) No. 37120/2012
(With Office Report)

SLP(C) No. 18285/2013
(With appln.(s) for c/delay in filing SLP and Interim Relief)

Date : 12/08/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s) Ms. Sharmila Upadhyay,Adv.

For Respondent(s) Dr. Monika Gusain,Adv.

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

Delay, if any, in filing the applications for substitution is condoned.

Applications for substitution, if any, are allowed.

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

Leave granted.

The appeals are disposed of, in terms of the signed order.

(G.V.Ramana)
AR-cum-PS

(Vinod Kulvi)
Asstt.Registrar

(Signed order is placed on the file)