

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No(s).19693-19708 OF 2017  
(Arising out of SLP(C) Nos. 4914-4929 of 2016)

SAMUNDER & ORS. ETC.

Appellant(s)

VERSUS

THE STATE OF HARYANA & ORS. Etc.

Respondent(s)

with

CIVIL APPEAL No(s).19709-19723 OF 2017  
(Arising out of SLP(C) No. 6371-6385 of 2016)

CIVIL APPEAL No(s).19724-19741 OF 2017  
(Arising out of SLP(C) No. 10507-10524 of 2016)

CIVIL APPEAL No(s). 19742 OF 2017  
(Arising out of SLP(C) No. 11095 of 2016)

CIVIL APPEAL No(s). 19743-19745 OF 2017  
(Arising out of SLP(C) No.14910-14912 of 2016)

CIVIL APPEAL No(s).19746-19748 OF 2017  
(Arising out of SLP(C) No. 16625-16627of 2016)

CIVIL APPEAL No(s).19749-19759 OF 2017  
(Arising out of SLP(C) Nos. 2948-2958 of 2017)

CIVIL APPEAL No(s). 19760 OF 2017  
(Arising out of SLP(C) No. 25050 of 2016)

O R D E R

Leave granted.

Heard learned counsel for the parties.

The appeals have been preferred by the land owners for enhancement of the compensation. The land had been acquired by issuance of Notification under Section 4 of the Land Acquisition Act, 1894 (in short 'the Act') The Land Acquisition Officer Awarded compensation at the rate of Rs.45,000/- per acre. Reference court had awarded at the rate of Rs.52,25,000/- per acre. The High Court has affirmed the same, as such the appeals have been preferred in this court for further enhancement of compensation.

It was submitted by the learned counsel appearing for the land owners urged that excessive deduction of 50% has been made out of the sale exemplars i.e. P2 and P3; they were dated 27.4.2006 for substantial land of 6 acres and 5 kanals and 18 marlas and P3 for 10 acres for the consideration of approx. Rs.1,04,68,920/- per acre and Rs.1,04,46,796/- per acre respectively. 50% deduction has been made which is excessive as such compensation be suitably enhanced.

Learned counsel appearing for the State has submitted that another exemplar was on record that was in the shape of P1 executed on 19.12.2005 with respect to 5 acres of land and the purchase was made by Vimson Relators Pvt. Ltd. for a

sum of Rs.65,00,000/- per acre and that exemplar P3 and P4 were required to be discarded as they were in close proximity with the time of issuance of Notification under Section 4 of Act and after coming to know of acquisition the sale deeds P3 and P4 had been executed.

After hearing learned counsel for the parties, in our opinion when there were three sale deeds in close proximity of time for substantial areas of respectively 5,6 & 10 acres, it would be appropriate to work out the average price of the land so as to arrive at the just figure of compensation. Thus taking into consideration the figure of Rs.1,04,68,920/- per acre, Rs.1,04,46,796/- per acre and Rs.65,00,000/- per acre for arriving at the average of the sale the amount comes to Rs.91,38,572/- per acre. After deducting 1/3 amount towards development the amount comes to Rs.60,92,382/- per acre rounded off to Rs.60,92,400/- per acre that we award with statutory benefits. The enhanced compensation be paid as expeditiously as possible preferably within six months.

The appeals are accordingly disposed of.

.....J.  
(ARUN MISHRA)

.....J.  
(MOHAN M. SHANTANAGOUDAR)

NEW DELHI;

NOVEMBER 22, 2017

ITEM NO.12

COURT NO.10

SECTION IV-B

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). 4914-4929/2016

(Arising out of impugned final judgment and order dated 20-11-2015 in RFA No. 3123/2013 20-11-2015 in RFA No. 3133/2013 20-11-2015 in RFA No. 4156/2013 20-11-2015 in RFA No. 5591/2013 20-11-2015 in RFA No. 5679/2013 20-11-2015 in RFA No. 730/2014 20-11-2015 in RFA No. 731/2014 20-11-2015 in RFA No. 732/2014 20-11-2015 in RFA No. 733/2014 20-11-2015 in RFA No. 734/2014 20-11-2015 in RFA No. 736/2014 20-11-2015 in RFA No. 737/2014 20-11-2015 in RFA No. 739/2014 20-11-2015 in RFA No. 740/2014 20-11-2015 in RFA No. 743/2014 20-11-2015 in RFA No. 1505/2014 passed by the High Court Of Punjab & Haryana At Chandigarh)

SAMUNDER

Petitioner(s)

VERSUS

THE STATE OF HARYANA

Respondent(s)

(THE INSTANT MATTER I.E. SLP(C) NO. 25050/2016 IS TO BE LISTED BEFORE THE LD. REGISTRAR COURT)

WITH

SLP(C) No. 6371-6385/2016 (IV-B)  
SLP(C) No. 10507-10524/2016 (IV-B)  
SLP(C) No. 11095/2016 (IV-B)

SLP(C) No. 13514-13522/2016 (IV-B)

SLP(C) No. 14910-14912/2016 (IV-B)

SLP(C) No. 16625-16627/2016 (IV-B)

SLP(C) No. 2948-2958/2017 (IV-B)

SLP(C) No. 24195/2016 (IV-B)

SLP(C) No. 25050/2016 (IV-B)

Date : 22-11-2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA  
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Mr. Dhruv Mehta, Sr. Adv.  
Ms. Jasbir Singh Malik, Adv.  
Ms. Usha Nandini. V, AOR

Mr. Mahabir Singh, Sr. Adv.  
Ms. Preeti Singh, Adv.  
Mr. Gagandeep Sharma, Adv.  
Mr. Nikhil Jain, AOR

Mr. S.P. Khatri, Adv.  
Mr. Aditya Singh, AOR

Dr. Kailash Chand, AOR  
Mrs. Kamlesh Khatri, Adv.

Mr. Ajay Marwah, AOR

Ms. Kamlesh Khatri, Adv.

For Respondent(s)

Mr. Vishwa Pal Singh, AOR

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

In SLP(C) Nos. 13514-13522 & 24195 of 2016

List tomorrow i.e. on 23.11.2017.

IN REST OF THE MATTERS

Leave granted.

Appeals are disposed of in terms of the signed order.

(NEELAM GULATI)  
COURT MASTER (SH)

(SIGNED ORDER IS PLACED ON THE FILE)

(JAGDISH CHANDER)  
BRANCH OFFICER