

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5150 OF 2009

SURINDER & ORS. ...APPELLANT(S)

VERSUS

STATE OF HARYANA & ANR. ...RESPONDENT(S)

WITH

CIVIL APPEAL NO.4694 OF 2009

CIVIL APPEAL NO.873 OF 2013

O R D E R

1. These appeals are directed against the judgments and orders passed by the High Court of Punjab and Haryana in R.F.A. No.304 of 1995, 2943 of 1994 and R.F.A. No.2833 of 1994, dated 08.12.2008, whereby and whereunder the High Court has dismissed the appeals and upheld the compensation awarded by the Reference Court.

2. Since the facts involved in all these appeals are identical, for the sake of convenience, we would notice the facts only in Civil Appeal

Signature Not Verified

No.5150 of 2009 while disposing of this batch of

Digitally signed by

NEETU KHAJURIA

Date: 2015.05.18

12:18:39 IST

Reason:

appeals by this common order.

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CIVIL APPEAL NO. 5150 OF 2009

3. The facts in brief are: The respondent-

State had issued a Notification, under Section 4 of

the Land Acquisition Act, 1894 (for short "the

Act"), to acquire land admeasuring 865 kanals and 2

marlas situated in Village Manesar, Tehsil and

District Gurgaon for the public purpose of

development of the area as industrial and setting up

of vaccination complex, dated 19.02.1988.

4. The Land Acquisition Collector (for short, "the LAC"), determined the market value of the land at Rs.60,000/- per acre for Chahi Land and Rs.40,000/- per acre for the remaining categories of land, by an award dated 26.09.1988.

5. The claimants, not being satisfied with the compensation so awarded by the LAC, 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. Accordingly, the LAC had referred the case of the claimants to the District Judge, Gurgaon.

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6. The Reference Court, after considering the entire oral and documentary evidence on record and relying on the sale transactions, has fixed the market value of the acquired lands at a uniform rate of Rs.81,000/- per acre, by order dated 18.08.1994.

7. Aggrieved by the said order, the claimants had filed an appeal before the High Court seeking enhancement of the compensation. The High Court has dismissed the appeal filed by the claimants and upheld the award passed by the Reference Court.

8. Aggrieved by the order so passed by the High Court, the claimants are before us in these appeals.

9. We have heard the counsel for the parties to the lis and carefully perused the records of the case including judgments and orders passed by the Courts below.

10. In our considered view, keeping in view the facts and circumstances of the case, we deem it appropriate to enhance the compensation from

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Rs.81,000/- per acre to Rs.90,000/- per acre, along with all statutory benefits on the enhanced amount, in accordance with law.

11. In the result, the civil appeal is disposed of in the aforesaid terms.

Ordered accordingly.

CIVIL APPEAL NO. 4694 OF 2009 AND
CIVIL APPEAL NO. 873 OF 2013

In view of the order passed in Civil Appeal No. 5150 of 2009, these civil appeals are also disposed of in the same terms.

Ordered accordingly.

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

.....J.
(ARUN MISHRA)

.....J.
(AMITAVA ROY)

NEW DELHI,
MAY 14, 2015.

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ITEM NO.121	COURT NO.1	SECTION IV
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). 5150/2009		
SURINDER & ORS.		Appellant(s)
VERSUS		
STATE OF HARYANA & ANR.		Respondent(s)

WITH
C.A. No. 4694/2009
(With Office Report)

C.A. No. 873/2013
(With Office Report)

Date : 14/05/2015 These appeals were called on

for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE AMITAVA ROY

For Appellant(s) Dr. M.S. Verma, Adv.
 Dr. B.K. Jauhri, Adv.
 For Ms. S. Janani, Adv.

 Mr. Vibhuti Sushant Gupta, Adv.
 For Dr. Kailash Chand, Adv.

For Respondent(s) Ms. Noopur Singhal, Adv.

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

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

(Neetu Khajuria)
Sr.P.A.

(Vinod Kulvi)
Assistant Registrar

(Signed order is placed on the file.)