

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 675 OF 2012

Union of India .. Appellant(s)

Versus

Jai Singh & Anr. .. Respondent(s)

WITH

C.A. No. 4481/2013

C.A. No. 4545/2013

C.A. No. 4643/2013

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C.A. No. 10315/2013

SLP(C) No. 16975/2013

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SLP (C) No. 21190/2013

C.A. No. 81/2014

C.A. No. 166/2014

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C.A. No. 948-949/2014

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C.A. Nos. 1936-1937/2012

C.A. No. 1938/2012

C.A. No. 2609/2012

C.A. Nos. 3282-3288/2012

C.A. No. 3331/2012

C.A. No. 3387/2012

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C.A. No. 3389/2012

C.A. No. 3390/2012

C.A. No. 3391/2012

C.A. Nos. 4470-4549/2012

C.A. Nos. 5053-5054/2012

C.A. No. 5737/2012

C.A. No. 5738/2012

C.A. No. 6650-6717/2012

C.A. No. 7548-7551/2012

C.A. No. 7552/2012

C.A. Nos. 7553-7559/2012

C.A. No. 7812/2012

C.A. No. 161/2013

C.A. Nos. 875-877/2013

C.A. No. 878/2013

C.A. No. 880/2013

C.A. Nos. 1391-1398/2013

C.A. Nos. 2144-2152/2013

C.A. No. 2320/2013

C.A. No. 2533/2013

C.A. No. 2599/2013

C.A. No. 3874/2013

C.A. No. 5509/2013

C.A. Nos. 6002-6007/2013

C.A. Nos. 6015-6025/2013

C.A. No. 6027/2013

C.A. Nos. 7721-7759/2013

C.A. Nos. 8713-8729/2013

C.A. No. 11332/2013

SLP(C) No. 21187/2013

C.A. No. 169/2014

C.A. No. 736/2014

C.A. No. 944/2014

C.A. No. 945/2014

C.A. No. 983-988/2014

C.A. Nos. 989-997/2014

C.A. Nos. 2050-2056/2014

C.A. No. 2057/2014

C.A. No. 4049/2014

C.A. No. 4073/2014

C.A. No. 4869/2014

C.A. No. 4870/2014

C.A. No. 4871/2014

C.A. No. 4872/2014

C.A. No. 4873/2014

C.A. No. 4874/2014

C.A. No. 4875/2014

C.A. No. 6669/2014

C.A. No. 6894/2014

C.A. No. 9786/2014

C.A. No. 9785/2014

C.A. No. 10438/2014

C.A. Nos. 11044-11055/2013

C.A. Nos. 11059-11072/2013

C.A. No. 11073-11087/2013

C.A. No. 11089/2013

C.A. No. 6932 of 2013

C.A. No. 6933 of 2013

C.A. No. 6934 of 2013

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C.A. No. 6936 of 2013

C.A. No. 6937 of 2013

C.A. No. 6938 of 2013

C.A. No. 9239-9278 of 2013

SLP(C) Nos. 21177-21182 of 2013

C.A. No. 7813 of 2012

O R D E R

C.A. NOS. 4470-4549 OF 2012, 6650-6717 of 2012, 7721-7759 of 2013, 8713-8729/2013, 11332 of 2013

1. Dr. Surat Singh, learned counsel for the appellant(s), on instructions, seeks leave of this Court to withdraw these appeals.

2. Permission sought for is granted.

3. The Civil appeals are disposed of as withdrawn.

IN REST OF THE MATTERS FILED BY
INDIVIDUALS/CLAIMANTS

4. Delay, in filing of the application(s) for substitution, if any, is condoned.

5. Application(s) for substitution, if any, is allowed.

6. Application(s) for impleadment, if any, is allowed.

7. These appeals are directed against the judgment and order passed by the High Court of Delhi, dated 23.08.2011, whereby and whereunder the High Court has enhanced the compensation awarded by the Reference Court.

8. The short facts in the present set of appeals are: the respondent-State, by eight different notifications dated 07.08.2000, 11.09.2000, 02.05.2001, 22.08.2001, 07.12.2001, 16.05.2002, 23.05.2002 and 27.01.2003 issued under Section 4 read with Section 17(1) of the Land Acquisition Act, 1894 (for short "the Act") had proposed to acquire various tracts of land in the ten villages, namely, Pooth Khurd, Holambi Kalan, Bawana, Khera Khurd, Narela, Ali Pur Holambi, Rajpur, Rajapur Kalan, Sanoth, Shahpur Garhi for the purposes of either establishing an

industrial estate or laying down a road or freight complex, except in the case of village Narela, where the acquisition was partly for residential purpose and partly for industrial purpose. The said notifications were followed by respective notifications issued under Section 6 of the Act where the respondent-state declared the acquisition of aforesaid lands for the aforementioned public purpose.

9. The compensation awarded by the Land Acquisition Collector (for short, "the LAC"), the Reference Court upon reference being made under Section 18 of the Act and the High Court, in appeal against the orders passed by Reference Court are as under:

S.No.	Name of the Village	Date of notification under Section 4 of the Act	Rates awarded by LAC in per acre	Rates awarded by Reference Court u/s 18 of the Act in per acre	Rate awarded by High Court under the Act in per acre

1	Pooth Khurd	07.08.2000	Category 'A' Rs. 13.82 & category 'B' Rs. 12.26 minimum price as of 1.4.2000	Category uniform Rs. 14.3782 minimum price as of 1.4.2000 with 12% increase p.a.	Rs. 14,75,000/-
2.	Holambi Kalan	07.08.2000	Rs. 13.82 minimum price as 1.4.2000	Rs. 14.1295 price as in Gajraj's case as of 15.11.1996 with 12% increase p.a.	Rs. 14,75,000/-
3.	Holambi Kalan	22.08.2001	Category 'A' Rs. 15.7 & Category 'B' Rs. 14 minimum price as 01.04.2000	Category uniform Rs. 16.43811 minimum price as of 1.4.2000 with 12% increase p.a.	Rs. 16,74..500/-
4.	Holambi Kalan	23.05.2002	Rs. 15.7 minimum price as	Rs.22.14239 price as in	Rs. 18,65,500/-

			of 1.4.2000	Gajraj's case as of 15.11.199 6 with 12% increase pa. (compound	
5.	Bawana	07.08.2000	Category 'A' Rs. 13.82 & Category 'B' Rs. 12.62 minimum price as of 1.4.2000	No enhanceme nt given	Rs. 14.75/- lakhs
6.	Khera Khurd	11.09.2000	Category 'A' Rs. 13.82 & Category 'B' Rs. 12.62 minimum price as of 1.4.2000	Category uniform Rs. 14.40157 minimum price as of 1.4.2000 with 12% increase pa.	
7.	Narela	02.05.2001	Category 'A' Rs. 15.7 Category 'B' Rs. 14 minimum	Category uniform Rs. 15.857 minimum price as of	Rs. 17,75,000/-

			price as of 1.4.2000	1.4.2001 with 12% increase p.a.	
8.	Ali pur	22.08.2001	Category 'A' Rs. 15.7 & Category 'B' Rs. 14 minimum price as of 1.4.2001	Rs. 16,43811 minimum price as of 1.4.2001 with 12% increase p.a.	
9.	Ali pur	23.05.2002	Rs. 15.7 minimum price as of 1.4.2001	Rs. 17,8524 minimum price as of 1.4.2001 with 12% increase p.a.	Rs. 18,65,500/-
10.	Holambi	22.08.2001	Rs. 15.7 minimum price as of 1.4.2001	Rs. 16,4381 minimum price as of 1.4.2001 with 12% increase p.a.	
11.	Rajpur	22.08.2001	Rs. 15.7 minimum price as	Rs. 16.43811 minimum	Rs. 16,74,500/-

			of 1.4.2001	price as of 1.4.2001 with 12% increase p.a.	
12.	Rajapur Kalan	27.01.2003	Category 'A' Rs. 15.7 & Category 'B" Rs. 14 minimum price as of 1.4.2001	1. Rs.19.137 65 for uniform category Minimum price as 1.4.2001 with 12% increase p.a. in some cases 2. Rs. 19.1604 for uniform category based on sale deed dated 25.5.2002 with 12% increase p.a.	Rs. 19,16,000/-
13.	Sanoth	07.12.2001	Rs.15.7 minimum price as of 1.4.2001	Rs.16.999 042 minimum price as of 1.4.2001 with 12%	Rs.17,29,50 0/-

				increase p.a.	
14.	Sanoth	27.01.2003	Category 'A" Rs. 15.7, Category 'B' & category 'C' Rs. 12.3 Rs. 14 minimum price as of 1.4.2001	Rs. 19.13765 for uniform category. Minimum price as of 1.4.2001 with 12% increase p.a.	Rs. 19,45,500/- category 'A' For category B' & 'C' cross objection and appeal are dismissed
15.	Shahpur Garhi	23.05.2002	Category A Rs. 15.7 minimum price as of 1.4.2001	Rs. 17.79781 minimum price as of 1.4.2001 with compound interest @ 11.5 % p.a	Rs. 18,65,500/-

10. Aggrieved by the judgment(s) and order(s) passed by the High Court of Delhi, the claimants are before us in these appeals/special leave

petitions requesting, *inter alia*, for enhancement of the compensation awarded by the High Court.

11. We have heard Shri Guru Krishna Kumar, learned senior counsel appearing for the Union of India and learned counsel for the claimants appearing in respective matters. We have also perused the judgment(s) and order(s) passed by the Courts and authorities below.

12. In our considered view, the High Court has correctly assessed fair and true market value of the acquired lands taking into account the relevant exemplars and, thereafter appropriately calculated the market value of the acquired lands by means of calculating their average values. Further, the High Court has duly considered the potentiality of the respective acquired lands and noted the benefits offered by their location and surroundings.

13. In that view of the matter, we are of the

considered opinion that the High Court has not committed any error, whatsoever, that requires our interference and decision in these appeals and special leave petitions.

14. In the result, these appeals and special leave petitions filed by the claimants are liable to be dismissed and are dismissed accordingly. No costs.

Matters filed by the Union of India:

15. The appeals/special leave petitions filed by the Union of India, are also before us in this batch of matters.

16. Since the said appeals/special leave petitions also arise out of the same impugned judgment and order of the High Court as the claimants appeals/special leave petitions, we would not saddle this order by noticing the facts extracted hereinabove.

17. Having heard learned counsel for both the parties to the *lis*, we are of the considered opinion that the said appeals/special leave petitions, being devoid of any merit, require to be dismissed.

18. In the result, the appeals/special leave petitions are dismissed. No order as to costs.

Ordered accordingly.

.....CJI
[H.L. DATTU]

.....J.
[MADAN B. LOKUR]

.....J.
[A.K. SIKRI]

NEW DELHI,
DECEMBER 16, 2014.

ITEM NO.1

COURT NO.1

SECTION XIV

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). 675/2012

UNION OF INDIA

Appellant(s)

VERSUS

JAI SINGH & ANR.

Respondent(s)

WITH

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C.A. No. 6352/2013
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C.A. No. 7233/2013
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C.A. No. 7234/2013
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C.A. No. 8141/2013
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C.A. No. 8142/2013
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C.A. No. 8143/2013
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C.A. No. 8577/2013
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C.A. No. 8578/2013
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C.A. No. 9118/2013
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C.A. No. 9119/2013
(With Office Report)

C.A. No. 9120/2013
(With appln.(s) for substitution of L.rs of the deceased
respondent and appln.(s) for c/delay in filing substitution
appln. and Office Report)

C.A. No. 9121/2013
(With Office Report)

C.A. No. 9122/2013
(With Office Report)

C.A. No. 9123/2013
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(With Office Report)

SLP(C) No. 21190/2013
(With Office Report)

C.A. No. 81/2014
(With Office Report)

C.A. No. 166/2014
(With Office Report)

C.A. No. 167/2014
(With Office Report)

C.A. No. 168/2014
(With Office Report)

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(With Office Report)

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C.A. No. 948-949/2014
(With Office Report)

C.A. No. 3320/2014
(With Office Report)

C.A. No. 3321/2014
(With Office Report)

C.A. No. 4584/2014
(With Office Report)

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(With Office Report)

C.A. No. 6895/2014
(With Office Report)

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(With Office Report)

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(With Office Report)

C.A. No. 8144/2014
(With Office Report)

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(With Office Report)

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(With Office Report)

C.A. No. 947/2014
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C.A. No. 11043/2013
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(With Office Report)

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(With Office Report)

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C.A. No. 1936-1937/2012
(With Office Report)

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(With Office Report)

C.A. No. 2609/2012
(With Office Report)

C.A. No. 3282-3288/2012
(With Office Report)

C.A. No. 3331/2012
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C.A. No. 3387/2012
(With Office Report)

C.A. No. 3388/2012
(With Office Report)

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(With Office Report)

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(With Office Report)

C.A. No. 3391/2012
(With Office Report)

C.A. No. 4142/2012
(With Office Report)

C.A. No. 4470-4549/2012
(With Office Report)

C.A. No. 5053-5054/2012
(With Interim Relief and Office Report)

C.A. No. 5737/2012
(With Interim Relief and Office Report)

C.A. No. 5738/2012
(With Interim Relief and Office Report)

C.A. No. 6650-6717/2012
(With Interim Relief and Office Report)

C.A. No. 7548-7551/2012
(With Interim Relief and Office Report)

C.A. No. 7552/2012
(With Interim Relief and Office Report)

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(With Interim Relief and Office Report)

C.A. No. 7812/2012
(With Interim Relief and Office Report)

C.A. No. 161/2013
(With Office Report)

C.A. No. 875-877/2013
(With Office Report)

C.A. No. 878/2013
(With Office Report)
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C.A. No. 880/2013
(With Office Report for Direction)

C.A. No. 1391-1398/2013
(With Office Report)

C.A. No. 2144-2152/2013
(With Office Report)

C.A. No. 2320/2013
(With Office Report)

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(With Office Report)

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C.A. No. 6002-6007/2013
(With Office Report)

C.A. No. 6015-6025/2013
(With Office Report)

C.A. No. 6027/2013
(With Office Report)

C.A. No. 7721-7759/2013
(With Office Report)

C.A. No. 8713-8729/2013
(With Office Report)

C.A. No. 11332/2013
(With Interim Relief and Office Report)

SLP(C) No. 21187/2013
(With Office Report)

C.A. No. 169/2014
(With Office Report)

C.A. No. 736/2014
(With Office Report)

C.A. No. 944/2014
(With Office Report)

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(With Office Report)

C.A. No. 2050-2056/2014
(With Office Report)

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(With Office Report)

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(With Office Report)

C.A. No. 11089/2013
(With Office Report)

C.A. No. 6932 of 2013
(With office report)

C.A. No. 6933 of 2013
(With office report)

C.A. No. 6934 of 2013
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(With office report)

C.A. No. 6937 of 2013
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C.A. No. 6938 of 2013
(With office report)

C.A. No. 9239-9278 of 2013
(With office report)

SLP(C) No. 21177-21182 of 2013
(With appln. for permission and office report)

C.A. No. 7813 of 2012
(With office report)

Date : 16/12/2014 These appeals/SLPS were called on
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE A.K. SIKRI

For Appellant(s) Mr. Guru Krishna Kumar, Sr. Adv.
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Mr. S.S. Rawat, Adv.
Mr.SWA Qadri, Adv.
Mr. D. S. Mahra,Adv.
Mrs. Anil Katiyar,Adv.
Mr. R.S. Dalal, Adv.
Mr. P.V. Raghunandan, Adv.
Mr. D.S. Mahra,Adv.

Mr. N.S. Dalal, Adv.
Mr. S. Rein, Adv.
Mr. R.C. Kaushik, Adv.

Mr. Pradeep Misra, Adv.

Mr. Anand Yadav, Adv.
Mr. S.N. Pandey, Adv.
Mr. Chander Shekhar Ashri, Adv.

Mr. N.M. Popli, Adv.
Mr. K.N. Popli, Adv.
Mrs. B. Sunita Rao, Adv.

Mr. S.K. Yadav, Adv.
Mr. Ramesh Kumar, Adv.
Ms. Ranjeeta Rohtagi, Adv.
Ms. Praghya Baghel, Adv.

Mr. Dhruv Mehta, Sr. Adv.
Mr. B.P. Gupta, Adv.
Mr. Rajesh Gupta, Adv.
Ms. Ranjeeta Rohatgi, Adv. Rao

Ms. Prerna Mehta, Adv.

Mr. Dhruv Mehta, Sr. Adv.
Mr. B.S. Maan, Adv.
Mr. Bankey Bihari, Adv.

Dr. Surat Singh, Adv.
Mr. Brajesh Kumar Singh, Adv.
Mr. Anil Kr. Tandale, Adv.

Mr. Arvind Kumar Gupta, Adv.
Mr. Abhishek Goyal, Adv.

Mr. K.S. Rana, Adv.

Mr. Sudhir Naagar, Adv.
Mr. Mohit Singh, Adv.

Mr. N. Ganpathy, Adv.

Mr. Vipin Kumar Jai, Adv.

Mr. Gagan Gupta, Adv.
Mr. V.P. Rana, Adv.

Mr. S.S Panwar, Adv.
Mr. Rameshwar Prasad Goyal, Adv.
Mr. S.D. Baloni, Adv.
Ms. Nivedita Panwar, Adv.

Mr. Nitin Kumar Thakur, Adv.

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Mr. Abhijeet Sinha, Adv.

For Respondent(s) Ms. S. Janani, Adv.
Ms. Renuka Arora, Adv.
Mr. Deepak Goel, Adv.
Mr. Sunanda Raha, Adv.

Mr. V.B. Saharya, Adv.
Mr. Viresh B. Saharya, Adv. for
for M/s Saharya & Co., Adv.

Mr. S.K. Verma, Adv.

Mr. Ashwani Kumar, Adv.

Ms. Binu Tamta, Adv.
Mr. Dhruv Tamta, Adv.

Ms. Rachana Srivastava, Adv.
Mr. Utkarsh Sharma, Adv.

Mr. K.S. Rana, Adv.

Mr. R.P. Gupta, Adv.

Mr. Shrinath Agrawal, Adv.
Mr. Suman Gupta, Adv.

UPON hearing the counsel the Court made the following

O R D E R

C.A. No. 4142 of 2012

Delinked.

C.A. NOS. 4470-4549 OF 2012, 6650-6717 of 2012,
7721-7759 of 2013, 8713-8729/2013, 11332 of 2013

The civil appeals are disposed of as withdrawn

in terms of the signed order.

IN REST OF THE MATTERS

Delay, in filing of the application(s) for substitution, if any, is condoned.

Application(s) for substitution, if any, is allowed.

Application(s) for impleadment, if any, is allowed.

The civil appeals/SLPS filed by the claimants and the Union of India are dismissed in terms of the signed order.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Asstt. Registrar

[Signed order is placed on the file]