

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

CIVIL APPEAL NOS.3010-3011 OF 2001@@
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Vishnu Dutt & Ors.

Appellant (s)

VERSUS

State of Haryana & Ors.
(With office report)

Respondent (s)

WITH
C.A. Nos.3012-3017/2001, 3018-3128/2001
(With office report)

C.A. Nos.3129-3135/2001
(With prayer for interim relief)

C.A. Nos.3136-3137/2001
(With appln. for exem. from filing OT and with prayer for
interim relief)

C.A. Nos.3138-3143/2001
(With office report)

C.A. Nos.3144-3145, 3148, 3147, 3149, 3151, 3150 of 2001

C.A. Nos.3146/2001, 3152-3261/2001

C.A. No. 3735/2001
(With office report)

C.A. Nos.4265-4307/2001
(With appln. for deletion of the name of respondent)

C.A. No. 4308/2001
(With appln. for permission to place addl. documents on record)

C.A. No.4309/2001
(With appln. for permission to place addl. documents on record
and with office report)

C.A. Nos.4368-4379/2001, SLP(C)0 No.10664/2001

C.A. Nos.5617-5634/2001
(With office report)

SLP(C) No.14979/2001
(With prayer for interim relief and office report)

SLP(C) No.17650/2001, C.A. Nos.7812-7864/2001, C.A. No.8681/2001,

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C.A. No.317/2002,
(With office report)

C.A. Nos.471-492/2002
(With appln. for permission to place addl. documents on record
and with office report)

C.A. No.2731/2002
(With office report)

SLP(C) No.8451/2002
(With prayer for interim relief)

C.A. Nos.3577-3601/2002
(With office report)

C.A. Nos.1415-1441/2002
(With appln. for substitution)
(With appln. for substitution of L.Rs. of deceased Res. No.4
in C.A. 1431/2002 and for transposition of Res. No.3 and
L.Rs. of deceased respondent No.4 as petitioner in
C.A. No. 1431/2002)

Date : 10/09/2002 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE Y.K. SABHARWAL

For Appearing parties:@@
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Mr. P.P. Rao, Sr.Adv.
Mr. S.B. Sanyal, Sr.Adv.
Mr. G.L. Sanghi, Sr.Adv.
Mr. M.N. Krishnamani, Sr.Adv.
Mr. Naresh Kaushik,Adv.
Mr. Narendra Kumar Roy,Adv.
Ms. Shilpa Chohan,Adv.
Mr. Keshav Kaushik,Adv.
Mrs. Lalitha Kaushik,Adv.

Mr. Mahendra Anand, Sr.Adv.
Mr. Bharat Singh,Adv.
Mr. Neeraj Jain,Adv.
Mr. J.P. Dhanda,Adv.

Mr. Jasbir Malik,Adv.
Mr. S.K. Sabharwal,Adv.

Mr. R.S. Suri,Adv.
Mr. Krishan Mahajan,Adv.
Mrs. Sangeeta Sharma,Adv.
Ms. Madur Saxena,Adv.

Mr. Kishan Datta,Adv.

...3/-

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Mr. Mahabir Singh,Adv.

Mr. Praveen Swarup,Adv.

Mr. Rao Ranjit, Adv.

Mr. B.K. Satija, Adv.

Dr. Sushil Balwada, Adv.

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

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In these batch of appeals, the scope of Section 51-A of the Land Acquisition Act arise for consideration, with particular reference as to whether it is necessary, before placing reliance upon a certified copy of a registered sale deed(s), to disclose the guide-line or yard-stick for fixing up the market value of an acquired land, to examine anyone connected with the said sale deed(s) or the transaction covered by it, as a condition precedent.

In the decision reported in 2001 (3) SCC 530, rendered by a bench of three learned Judges of this Court, as could be seen, on perusal of paragraphs 16 and 17, it has been held that even without examining persons connected with the transactions mentioned therein, a particular certified copy of the sale deed could be relied upon in evidence on being marked and such a consequence would inevitably follow from the very language of Section 51 A of the Act.

In 2001 (6) SCC 254, applying the above principle, a Bench of two learned Judges of this Court have taken a similar view. But, unfortunately, the decision reported in ...4/-

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1997 (6) SCC 54, rendered by a Bench of three learned Judges of this Court taking a different view has not been specifically referred to or over-ruled, in the latest decision reported in 2001 (3) SCC 530.

Having regard to all this, we consider it appropriate and necessary to direct the Registry to place these matters before the Hon'ble the Chief Justice of India for the purpose of placing the matters before an appropriate larger Bench for deciding this issue and give a quietus to the controversy, finally.

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(Neena Verma)
Court Master

(K.K. Chadha)
Court Master