

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

Petition(s) for Special Leave to Appeal (Civil)...../2011  
CC 17580/2011

(From the judgement and order dated 07/10/2010 in FA No.16/2007  
of The HIGH COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BEANCH)

U.P. AVAS EVAM VIKAS PARISHAD Petitioner(s)

VERSUS

JAGADISH LAL & ORS. Respondent(s)

With I.A.1 (C/delay in filing SLP and c/delay in refiling SLP  
and office report)

Date: 08/11/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr. Vishnu Sharma,Adv.  
Ms. Anupama Sharma, Adv.

For Respondent(s)

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

Delay condoned.

This petition is directed against the judgment of  
learned Single Judge of the Allahabad High Court whereby  
he dismissed the appeal filed by the petitioner against  
the award passed by the Reference Court fixing market  
value of the acquired land at the rate of Rs.2/- per sq.  
ft.

By Notification dated 19.4.1969 issued under Section  
28 of the Uttar Pradesh Avas Evam Vikas Parishad

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Adhiniyam, 1965, 590782-1/2 feet land situated at village  
Shekhapur, Pargana, Tehsil and District Lucknow was  
acquired for housing scheme, Kurshi Road, Lucknow.  
Notification under Section 32 was issued on 4.8.1973.  
The Special Land Acquisition Officer passed award dated  
11.4.1978 and fixed market value of the acquired land at  
the rate of Rs.0.75 per sq. ft.

On a reference made under Section 18 of the Land  
Acquisition Act, 1894, Uttar Pradesh Avas Evam Vikas  
Parishad Tribunal, Lucknow (for short, 'the Tribunal')  
vide its judgment dated 9.5.2006 determined the  
compensation at the rate of Rs.2/- per sq. ft.

Although, the award passed by the Tribunal did not  
suffer from any legal infirmity and the Parishad should  
have gracefully accepted the determination of the  
compensation, but as is usual, the matter was carried to  
the High Court by filing an appeal under Section 54.

Learned Single Judge noticed that in large number of similar cases the Tribunal had determined the amount of compensation at the rate of Rs.2/- per sq. feet and held that there was no justification to reduce the amount in the case of the respondents.

We have heard learned counsel for the petitioner for some time and perused the record. We are satisfied that the special leave petition deserves to be dismissed as a frivolous piece of litigation, the disposal of which has consumed the time of the Court, which could otherwise be utilised for deciding other cases. Learned counsel for the petitioner could not show as to how the determination of compensation made by the Tribunal is erroneous and

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why the land owners should not be paid market value at the rate of Rs.2/- per sq. ft. Therefore, we do not find any valid ground or justification to entertain the petitioner's challenge to the impugned judgment.

The special leave petition is dismissed. The petitioner is saddled with cost of Rs.50,000/- for filing frivolous petition like the present one. The amount of cost shall be deposited with the Supreme Court Legal Services Committee within a period of six weeks from today.

While dismissing the special leave petition, we deem it proper to make it clear that if in future similar petitions are filed in this Court, the concerned officers of the Parishad will have to personally bear the cost.

(Neetu Sachdeva)  
Sr. P. A.

(Om Parkash)  
Court Master