

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.9801 OF 2013

GOVERDHAN SINGH . . . APPELLANT (S)

VERSUS

UNION TERRITORY, CHANDIGARH . . . RESPONDENT (S)

WITH

CIVIL APPEAL NO.9802 OF 2013

CIVIL APPEAL NO.9804 OF 2013

CIVIL APPEAL NOS.9805-9807 OF 2013

CIVIL APPEAL NO.9809 OF 2013

CIVIL APPEAL NOS.9810-9811 OF 2013

CIVIL APPEAL NO.9812 OF 2013

CIVIL APPEAL NOS.9794-9796 OF 2013

O R D E R

1. Delay, in filing the application(s) for substitution, if any, is condoned.
2. Application(s) for substitution, if any, is/are allowed.
3. Since the facts involved in all these

appeals are similar, for the sake of convenience, this Court would notice the facts only in Civil Appeal No. 9801 of 2013 while disposing of this batch of appeals by this common order.

Civil Appeal No. 9801 of 2013:

4. This civil appeal is directed against the judgment(s) and order(s), passed by the High Court of Punjab and Haryana at Chandigarh in Regular First Appeal No. 2310 of 1997, dated 15.10.2008.

5. Briefly stated, the facts in the present appeal are: the *lis* pertains to the acquisition of certain lands, belonging to the appellant-claimants, by the respondent herein for the public purpose of development of a residential-cum-commercial complex. The Chandigarh Administration *vide* Notification issued under Section 4(1) of the Land Acquisition Act, 1894 (for short, "the Act"), had proposed to acquire the land situated in village Manimajara, dated 15.06.1989. After due consideration of the objections filed by the then land-owners under Section 5-A of the Act, the Chandigarh

Administration issued a declaration under Section 6 of the Act.

6. After issuance of the aforesaid notifications, the Land Acquisition Collector (for short, "the LAC"), determined the compensation payable as per the market value of the land at the rate of Rs.1,65,400/- per acre, vide award dated 05.02.1990.

7. 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 Civil Court for determination of the fair market value of the land acquired by the Chandigarh Administration.

8. The Reference Court, in order to determine the fair market value of the acquired land on the date of the Notification under Section 4 of the Act, took into consideration the potentiality of the said land. The Reference Court referred to the another award pertaining to an acquisition in the same

village as on 10.12.1986, wherein compensation at the rate of Rs.2,00,000/- per acre was awarded. Further, the Court relied upon the decision of the High Court of Punjab and Haryana in *Inder Singh vs. The State of Punjab through Secretary to Government of Punjab and Another*, reported as 1988 (2) PLR (P&H) 190, to apply the principle of a 12% per annum increase in the aforesaid compensation amount. Therefore, the Reference Court enhanced the compensation to Rs.2,65,932/- per acre, vide order dated 19.04.1997.

9. Aggrieved by the order so passed by the Reference Court, the appellant-claimants had preferred Regular First Appeals before the High Court. The High Court approved the principle applied by the Reference Court below, however it noticed that the award relied upon was subsequently subject-matter of Letters Patent Appeal No. 241 of 2004, titled *Amarjit Singh and Others vs. Union Territory, Chandigarh*, decided on 17.09.2008. By the said decision, the compensation, as relied upon by the Reference Court in the present case, had been

enhanced to Rs. 116/- per square yard. Therefore, applying the given principle, as noticed by the Reference Court, to the enhanced amount of Rs.116/-per square yard, the High Court, in the present case, further enhanced the compensation to Rs. 151/- per square yard, vide order dated 15.10.2008.

10. Aggrieved by the order(s) so passed by the High Court, the appellant-claimants are before us in these appeals.

11. We have heard the learned counsel for the parties to the *lis* and also perused the records.

12. Having considered the judgments and orders of the courts below, we are of the view that there are no good grounds to interfere with the impugned judgment(s) and order(s) passed by the High Court. Therefore, the prayer of the appellants herein does not require consideration and decision by this Court.

13. In view of the above, we uphold the impugned judgment(s) and order(s) passed by the High Court. Accordingly, these civil appeals are dismissed.

Ordered accordingly.

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

.....J.
(A.K. SIKRI)

.....J.
(ARUN MISHRA)

NEW DELHI,
FEBRUARY 10, 2015.

ITEM NO.7

COURT NO.1

SECTION IV

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

Civil Appeal No(s). 9801/2013

GOVERDHAN SINGH

Appellant(s)

VERSUS

UNION TERRITORY, CHANDIGARH

Respondent(s)

(office report)

WITH

C.A. No. 9802/2013
(With Office Report)C.A. No. 9804/2013
(With Office Report)C.A. No. 9805-9807/2013
(With Office Report)C.A. No. 9809/2013
(With Office Report)C.A. No. 9810-9811/2013
(With Office Report)C.A. No. 9812/2013
(With Office Report)C.A. No. 9794-9796/2013
(With Office Report)

Date: 10/02/2015 These appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ARUN MISHRA

For Appellant(s)

Mr. K.G. Bhagat, Adv.
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For Respondent(s) Mr. T.S. Doabia, Sr. Adv.
Mr. Manpreet Singh Doabia, Adv.
Ms. Kiran Bhardwaj, Adv.

Mr. Sudarshan Singh Rawat, Adv.

Ms. Prerna Singh, Adv.
For Mr. Gopal Singh, Adv.

Ms. Kaveeta Wadia, Adv.

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

Civil Appeals are dismissed in terms
of the signed order.

(Neetu Khajuria)
Sr.P.A.

(Vinod Kulvi)
Assistant Registrar

(Signed order is placed on the file.)