

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NOS.5705-5707 OF 2000

U.O.I. Appellant(s)
VERSUS
TARAN SINGH & ANR. Respondent(s)

ORDER

These appeals are directed against the judgment dated 16.12.1997 of the Division Bench delivered in F.A. No.72/95, Cross Objection No.9/95, F.A. No.42/97 and F.A. No.105/95 by the High Court of Gauhati at Guwahati.

On 4.7.1985, the land in question covered by Dang No.78 of Khatian 26 in Village Pancharatna, District Goalpara, Assam, was required by the Central Water Commission for accommodating a site office for taking discharge and silt observation on the river Brahmaputra. The notification under Section 4 of the Land Acquisition Act was issued on 9.12.1987 in respect of Dang 78. The Collector awarded Rs.25,000/- per bigha pertaining to Dang No.78. The Reference Court increased the amount to Rs.1,00,000/- per bigha. The Central Water Commission wanted another piece of land and that piece of land was acquired 5 years later, the Reference Court fixed the compensation at Rs.1,25,000/- per bigha. The Division Bench has increased the compensation from Rs.1,00,000/- to Rs.2,00,000/- while giving following reasons.

"It could not and has not been disputed during the course of arguments that in F.A. No.72/95 the land was acquired about five years back. It further come in evidence that the land in both the cases are situated in the same village. The factum of the importance of Goalpara town need not be emphasized by this Court. It has been noticed even by the LAJ that the prices increased every year. However, even after taking judicial notice of the fact regarding the increase of price every year, LAJ in our considered view was not justified in enhancing the amount by Rs.25,000/- per bigha only. Within a period of five(5) years it can safely be held that the prices would be doubled. Moreover, it appears to us that the land in the present

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE HARJIT SINGH BEDI

For Appellant(s) Mr. S. Wasim A. Qadri, Av.
Ms. Sushma Suri, Adv.

For Respondent(s) Mr. Siddhartha Dave, Adv.
Ms. Jemitaben A., Adv.
Mr. Prashant Kumar, Adv.

UPON hearing counsel the Court made the following
ORDER

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

(K.K. Chawla)
Court Master

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(Neeru Bala Vij)
Court Master

[Signed order is placed on the file]