

CASE NO.:  
Appeal (civil) 7459 of 1997

PETITIONER:  
Krishi Utpadan Mandi Samiti Sahaswan Distt.Badaun thr.Secretary

RESPONDENT:  
Mohammed Ibrahim & Anr.

DATE OF JUDGMENT: 07/01/2004

BENCH:  
S. N. VARIAVA & H. K. Sema.

JUDGMENT:  
J U D G M E N T

With  
CIVIL APPEAL NO. 7462 of 1997

Krishi Utpadan Mandi Samiti  
Sahaswan District Badaun through  
its Secretary  
Versus  
Saidullah @ Saidul & Ors.

Appellants  
Respondents

With  
CIVIL APPEAL NO. 7464 of 1997

Krishi Utpadan Mandi Samiti  
Sahaswan District Badaun through  
its Secretary  
Versus  
Smt. Rashi da Begum & Anr.

Appellants  
Respondents

With  
CIVIL APPEAL NO. 7465 of 1997

Krishi Utpadan Mandi Samiti  
Sahaswan District Badaun through  
its Secretary  
Versus  
Rayazul Haque & Anr.

Appellants  
Respondents

S. N. Variava, J

In respect of acquisition by the same notification we have today passed a Judgment in Civil Appeal No. 7463 of 1997 wherein we have fixed market value at Rs.24.64 per sq.yard. In these cases the respondents have led no evidence of any sale instances of comparable lands. They have relied upon the order passed by the Stamp Officer in case of the respondent in Civil Appeal No. 7463 of 1997 and the valuation fixed by the District Magistrate, Badaun in respect of lands in this area. As has been set out in detail in the Judgment in Civil Appeal No. 7463 of 1997 valuation cannot be fixed on these basis. Though the respondents have led no evidence as the acquisition is under the same notification, to maintain uniformity, we award the same value as in Civil Appeal No. 7463 of 1997. The Appeals stand disposed of accordingly. There will be no order as to cost.

JUDIS