

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1692 OF 2009

U.P AVAS EVAM VIKAS PARISHAD,
LUCKNOW

..APPELLANT(S)

VERSUS

ATMA RAM & ORS.

..RESPONDENT(S)

O R D E R

1. This appeal is directed against the judgment and order passed by the High Court of Uttarakhand at Nainital in First Appeal No. 807 of 2001, dated 18.04.2006.

2. Brief facts: State Government issued a notification under Section 4 of the Land Acquisition Act, 1894 (for short "the Act") dated 09.04.1964 to acquire land measuring 47.41 acres for the purpose of development of land and construction of houses.

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NEETU KHAJURIA
Date: 2015.11.07
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Reason:

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3. The Land Acquisition Collector (for short, "the LAC"), formed two belts of the land and determined the compensation payable for the acquired lands at Rs.11,391.41/- per acre for the first belt situated closer to Hardwar Road and at Rs.7,594.84/- for the second belt situated remotely on same road.

4. The claimants, not being satisfied with the compensation so awarded by the LAC, approached the

LAC and sought for a reference under Section 18 of the Act to the Reference Court for enhancement in the amount of compensation.

5. The Reference Court, enhanced the compensation awarded to Rs.20,863/- per acre for the entire area and awarded solatium at 15 percent and interest at 6 percent by order dated 27.09.1984.

6. The claimants sought a review of the above judgment and order before the Additional District
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Judge, Dehradun and the learned Judge increased the rate of solatium to 30 percent and the rate of interest to 9 percent by order dated 22.10.1986.

7. Aggrieved by the aforesaid order, the appellant herein carried the matter in an appeal to the High Court. The High Court dismissed the appeal of the appellant herein by order dated 18.04.2006.

8. Aggrieved by the order so passed by the High Court, the appellant is before us in this appeal.

9. We have heard the learned counsel for the parties to the lis and also carefully perused the documents on record. We find no infirmity in the order passed by the High Court.

10. Therefore, in our considered opinion, we see no ground to interfere with the impugned judgment and
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order passed by the High Court. Accordingly, the civil appeal is dismissed.

Ordered accordingly.

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

.....J.
(ARUN MISHRA)

NEW DELHI,
NOVEMBER 04, 2015.

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ITEM NO.32

COURT NO.1

SECTION X

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Civil Appeal No(s). 1692/2009

U.P.AVAS EVAM VIKAS PARISHAD, LUCKNOW

Appellant(s)

VERSUS

ATMA RAM & ORS.

Respondent(s)

(with interim relief and office report)

Date : 04/11/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN MISHRA

For Appellant(s) Mr. Vishwajit Singh, Adv.
Mr. Pankaj Singh, Adv.
Mr. Ridhima Singh, Adv.
Mr. Abhindra Maheshwari, Adv.

For Respondent(s) Mr. Mohan Pandey, Adv.

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

The appeal is dismissed in terms of the
signed order.

As a sequel to the above, all pending
interlocutory application(s) is/are disposed of.

(Neetu Khajuria)

Sr.P.A.

(Signed order is placed on the file.)

(Vinod Kulvi)

Assistant Registrar