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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.225 OF 2005

CHANDER BHAN (D) BY LRS. & ORS. ...Appellants

Vs.

UNION OF INDIA ...Respondent

WITH

CIVIL APPEAL NOS. 3535-3536 OF 2005

J U D G M E N T

V. Gopala Gowda, J.

Civil Appeal No. 225 of 2005 is directed by the appellants against the impugned judgment and final order dated 03.04.2003 passed in L.P.A. No. 171 of 1980 and Civil Appeal Nos. 3535-3536 of 2005 are directed against impugned judgment and final order dated 10.02.2005 in L.P.A. No.3 of 1981 and order dated 21.03.2005 in R.P. No. 87 of 2005 in L.P.A. No. 3 of 1981 passed by the High Court of Delhi. Both the L.P.As. came before the High Court of Delhi against the common judgment dated 25.02.1980 passed in R.F.A. No.559 of 1969. The High Court awarded compensation of Rs.9,000/- per bigha in L.P.A. No. 171 of 1980 and Rs.6000/- per bigha in L.P.A. No. 3 of 1981. The appellants' lands were acquired by the respondent under the same notification dated 13.11.1959, and they have filed these appeals raising certain questions of law and grounds urged in support of the same and have prayed to set aside the impugned judgments and orders and modify the same by enhancing compensation to Rs.22,000/- per bigha as per compensation awarded for other acquired lands of contiguous villages, with all consequential statutory benefits, for which the appellants are entitled to under the law.

2. Brief facts of the appeals are stated herein for the purpose of examining the rival legal contentions urged on behalf of the parties to find out whether the appellants are entitled for the enhanced compensation in respect of their acquired lands as claimed by them for Rs.22,000/- per bigha as has been awarded by the Delhi High Court in relation to other acquired lands of contiguous villages.

A notification was issued on 13.11.1959 by the respondent-Union of India under Section 4 of the Land Acquisition Act, 1894 (for short "the L.A. Act") proposing to acquire land of four contiguous villages of Delhi namely, Sadhora Kallan, Wazirpur, Azadpur and Rajpur Chawani for planned development of Delhi. The Chijjara of the villages is annexed to the Civil Appeal showing the contiguity and situation of the villages in relation to which the lands were acquired by the respondent. The said notification was followed by declaration under Section 6 of the L.A. Act. The land of

village Malikpur Chawani was acquired by a separate notification dated 13.11.1959.

3. The appellants before this Court in both the appeals belong to village Wazirpur, Wazirpur Industrial Area, on the Ring Road, which is situated and bound by Azadpur Mandi, Shakti Nagar and Ashok Vihar etc.
4. Pursuant to said notification dated 13.11.1959, the Land Acquisition Collector passed award No. 1329 on 30.05.1962 by awarding Rs.3,200/- per bigha for Bagh Nehri Land, Rs.2,700/- per bigha for Nehri land and Rs.2,200/- per bigha for low lying land. The Land Acquisition Collector while awarding compensation at the aforesaid rates considered the sales of land of contiguous villages namely, Sadhora Kalan, Malikpur Chawani and Azadpur, as there was no instance of sales in the lands of village Wazirpur during the year 1959-1960, and on the basis of the said sales the Land Acquisition Collector adjudicated upon the claim of the appellants to award compensation by determining the market value of their acquired lands at the aforesaid rates.
5. It is the further case of the appellants that the Land Acquisition Collector on 28.06.1967 in respect of village Sadhora Kalan passed an award of Rs.8,000/- per bigha for land abutting the link road and Rs.5,600/- per bigha for Bagh Nehri land under the same notification dated 13.11.1959.
6. The appellants (in both the appeals) being aggrieved by the award dated 30.05.1962 of the Land Acquisition Collector in not determining just and reasonable compensation on the basis of the market value of their acquired lands, approached the Reference Court seeking enhancement of compensation. They filed an application i.e. L.A.C. No. 690 of 1978 under Section 18(1) of the L.A. Act before the Land Acquisition Collector with a request to make a reference to the jurisdictional reference court for adjudication of their rights by awarding reasonable compensation of the acquired lands of the appellants by determining their correct market value. On 06.10.1969 the reference court, in L.A.C. No. 690 of 1978 in the case of appellants in both the appeals, fixed the enhancement values at figures ranging from Rs.300/- to 1900/- per bigha for land of fixed market values ranging from Rs.2,500/- to Rs.4,600/-.
7. Aggrieved by the aforesaid judgment and award of the reference court, the appellants in both the appeals approached the High Court seeking enhancement of compensation for their acquired lands by way of filing regular first appeal i.e. RFA no. 559 of 1969. Vide common order and judgment dated 25.02.1980 in R.F.A. No. 559 of 1969, the learned Single Judge of the High Court of Delhi enhanced the compensation varying from Rs.4,000/- to Rs.6,000/- per bigha in respect of the appellants' land.
8. Being aggrieved by the same the appellants filed letters patent appeals, L.P.A. No. 171 of 1980 and L.P.A. No. 3 of 1981 before the Division Bench of the High Court of Delhi. It is the further case of the appellants that during pendency of their letters patent appeals, various other regular first appeals and letters patent appeals pertaining to the lands of villages Rajpur Chawani, Malikpur Chawani, Azadpur and Sadhora Kalan, which were acquired vide notification dated 13.11.1959 for the purpose of planned development of Delhi, came up for consideration before the various co-ordinate Division Benches of the High Court of Delhi including village Malikpur Chawani where lands were acquired by a separate notification dated 13.11.1959. It is stated that in another case, R.F.A. No. 26/69, Mohan Lal Goela Vs. Union of India[1] the land involved was of village Rajpur Chawani which was acquired in pursuant to the notification dated 13.11.1959 itself by the respondent, whereby the market value of the land was determined at Rs.18,000/- per bigha by the High Court of Delhi. It is further stated by the appellants that villages Rajpur Chawani, Malikpur, Sadhora Kalan and Wazirpur are four contiguous villages whose lands were acquired vide notification dated 13.11.1959. Strong reliance was placed by the appellants upon the

judgment and award dated 17.08.1987 in R.F.A. No.18 of 1978 passed by the other co-ordinate Division Bench of the High Court of Delhi whereby it has re-determined the market value of the land of village Malikpur Chawani at Rs.26,000/- per bigha taking Rs.22,000/- per bigha as reference on the basis of sale instances which were prevalent during the year 1959-1960. Strong reliance was placed by the appellants on the judgment and award dated 23.08.1987 in R.F.A. No. 570 of 1979 by another co-ordinate Division Bench of the High Court of Delhi, passed during the pendency of their appeals, wherein judgment and award was passed in respect of the land of village Sadhora Kalan acquired under the same notification dated 13.11.1959, as in the case of the appellants, and the market value of the land was re-determined at Rs.15,000/- per bigha on the basis of various sale instances. Another co-ordinate Division Bench of the Delhi High Court on 4.11.1987 further re-determined the market value of the acquired land of village Sadhora Kalan at Rs.26/- per Sq. Yd. as on 25.03.1964 taking Rs.22,000/- per bigha on the basis of sale instances which were prevalent in the year 1959-1960.

9. The appellants in L.P.A. No. 171 of 1980 filed C.M. No.638 of 2002 and the appellants in L.P.A. No. 3 of 1981 filed C.M. No. 210 of 2001 for amendment of the claim seeking enhancement of compensation at Rs.22,000/- per bigha in view of the various judgments passed by the same co-ordinate Division Benches of the Delhi High Court referred to supra wherein they have re-determined the market value of the acquired lands of the contiguous villages at Rs.18,000/- to Rs.22,000/- per bigha. The appellants contended that the market value re-determined in respect of the lands of the three villages referred to supra and the acquisition of these lands was also for the same purpose as that of the lands of the appellants, by notification issued on the same date and their lands have got the same potentiality and they are admittedly contiguous to the lands of the other villages is the finding of fact recorded by the co-ordinate Division Benches of the Delhi High Court. Thus, the appellants also claimed Rs.22,000/- per bigha to be awarded as compensation in their favour in view of the re-determination of the market value of the acquired lands of the contiguous villages vide notification dated 13.11.1959 by the different Division Benches of the High Court of Delhi. Further, the co-ordinate Division Bench of the High Court of Delhi in the month of February, 2003 in another case re-determined the market value of land of village Sadhora Kalan on 13.11.1959 at Rs.18,000/- per bigha in L.P.A. No. 99/80 and granted enhancement of Rs.3000/- as given in the year 1987 by another co-ordinate Bench of the Delhi High Court. The High Court allowed the C.M. No. 638 of 2002 but rejected the application for amendment for enhancement of claim in C.M. No. 210 of 2001.

10. It was further contended that the Division Bench of the Delhi High Court by its impugned judgment dated 03.04.2003 in L.P.A. No. 171 of 1980 and judgment dated 10.02.2005 in L.P.A. No. 3 of 1981, without going into the various decisions rendered by the other co-ordinate Division Benches of the High Court in the cases referred to supra wherein they have re-determined the market value of the lands of villages Sadhora Kalan, Malikpur Chawani and Rajpur Chawani which lands were acquired vide notification dated 13.11.1959 and enhanced compensation at Rs.18,000/- to 22,000/- per bigha, whereas in the case of the lands of these appellants, the High Court has erroneously re-determined the less market value of the acquired land of the appellants without giving the same market value of the lands as that of the contiguous villages. Even though the aforesaid judgments were cited before the Division Bench of the High Court of Delhi, in respect to the acquired lands of the appellants, it has erroneously re-determined the market value at Rs.9,000/- per bigha in L.P.A. No. 171 of 1980 and Rs.6,000/- per bigha in L.P.A. No. 3 of 1981, after a lapse of 23 years of pendency of the letters patent appeals seeking enhancement of compensation of the acquired land. The appellants in L.P.A. No. 3 of 1981 further contended that the High Court was not legally justified in granting them Rs.6000/- per bigha when in L.P.A. No. 171 of 1980 the co-

ordinate Division Bench has granted Rs.9,000/- per bigha.

11. Mr. Harinder Mohan Singh, learned counsel appearing on behalf of the appellants framed the questions of law in support of their claim by placing strong reliance upon the judgments and awards passed by the co-ordinate Division Benches of the High Court of Delhi in relation to the acquired land of the contiguous villages namely, Sadhora Kalan, Malikpur Chawani and Rajpur Chawani wherein enhancement of compensation was awarded by re-determining the market value ranging from Rs.18,000/- to Rs.22,000/- per bigha, whereas the market value of the lands of the appellants' is fixed at Rs.9,000/- per bigha and Rs.6,000/- per bigha respectively though the said lands had the same potentiality and the purpose for which they were acquired was same and under the same notification. Therefore, the learned counsel contended that the High Court could not have denied the just and reasonable compensation at Rs.22,000/- per bigha in respect of the acquired lands of these appellants. By considering location, potentiality of the lands and other relevant factors, it was contended that the lands of the appellants are similar to the lands of other land holders, the value of which have been re-determined by fixing their market value at Rs.18,000/- to Rs.22,000/- per bigha and further, the appellants land and those lands hardly have any difference in the advantages available. Therefore, the High Court has erred both on facts and in law in awarding lesser compensation than the land of the similarly placed land holders of the aforesaid contiguous villages whose lands had been acquired by the respondent under the same notification and for the same purpose and the same is arbitrary and suffers from the vice of discrimination which is in violation of Article 14 of the Constitution. Further, the impugned judgments and awards passed by the High Court are contrary to the decision rendered by the Delhi High Court in Rama Nand Vs. Union of India[2] wherein another co-ordinate Bench of the Delhi High Court has categorically held that when for nine revenue estates the market value has already been determined at the same rate, namely Rs.47,227/- per bigha, after holding that lands were acquired under same notification for same public purpose and were also utilized for the same purpose, then there was no reason for the Delhi High Court not to maintain parity by not awarding the same compensation in respect of the appellants' land also in that case.
12. The impugned judgments passed by the Delhi High Court are contrary to another binding decision of this Court in Nand Ram Vs. The State of Haryana[3] wherein this Court has held that the State cannot refuse to award the just compensation by not determining correct market value and that it has got an obligation to pay the same compensation to all land-owners whose lands were acquired under the same notification for the same purpose, and not paying similar compensation when all other relevant factors are the same, would amount to discrimination. It is further urged by the learned counsel on behalf of the appellants that the High Court was not legally justified in ignoring the most important factor namely, that the reference court while re-determining the market value of the land of village Wazirpur has considered the sales in the neighbouring villages, namely, Yaqutpur, Azadpur, Sadhora Kalan and Malikpur Chawani and fixed the market value as on 13.11.1959. Therefore, the guiding factor was the sales of lands of villages Sadhora Kalan and Malikpur and when the market value of the land of the said villages was fixed at Rs.18,000/- to Rs. 22,000/- per bigha, then there cannot be any justification for the High Court to deny the same to the appellants.
13. Mr. Rakesh Khanna, learned Additional Solicitor General appearing on behalf of respondent-Union of India sought to justify the impugned judgment contending that the claim of the appellants before the reference court was Rs.6000/- per bigha. Therefore, they are not entitled for more than that amount of compensation and that in fact, the High Court has granted Rs.9000/- per bigha in respect of the similarly placed persons. In support of the submission, he has placed reliance upon the decision of this Court in the case of Land Acquisition Officer-

cum-DSWO, A.P. Vs. B.V. Reddy & Sons[4] wherein this Court has interpreted Section 25 of the L.A. Act and made observation that the amount claimed by the claimant or the compensation shall not be more than the amount claimed by them in the proceedings.

14. On the basis of the rival factual and legal contentions urged on behalf of the parties, the following points would arise for the consideration of this Court:

- 1) Whether the appellate court is justified in not awarding compensation at the rate of Rs.22,000/- per bigha as has been awarded in respect of the lands of contiguous villages of Delhi namely, Sadhora Kallan, Wazirpur, Azadpur and Rajpur Chawani which were acquired for the same purpose under the Notification dated 13.11.1959?
- 2) What award the appellants are entitled to?

15. The aforesaid first point is required to be answered in favour of the appellants for the following reasons:-

It is an undisputed fact that the respondent-Union of India acquired the lands of these appellants which are contiguous lands of the villages of Delhi namely, Sadhora Kallan, Wazirpur, Azadpur and Rajpur Chawani for the purpose of planned development of Delhi whose lands were acquired vide notification dated 13.11.1959. The appellants were aggrieved by the inadequate compensation awarded by the Land Acquisition Collector contending that it was done by not determining the correct market value of their acquired land. They got reference made to the reference court under Section 18 (1) of the L.A. Act for re-determination of the market value. The reference court awarded market value by enhancing the compensation upto Rs.300-1900/- per bigha for the fixed market value varying from Rs.2,500/- to Rs.4,600/- per bigha. Aggrieved by this judgment and award, the appellants approached the High Court. The learned Single Judge of the Delhi High Court enhanced the compensation varying from Rs.4000/- to Rs.6000/- per bigha in respect of the appellants' lands in both the civil appeals.

16. It is the case of the appellants that during the pendency of their appeals, Letters Patent Appeals of other persons pertaining to the above contiguous villages whose lands were also acquired vide notification dated 13.11.1959, came up for consideration before the different co-ordinate Division Benches of the High Court of Delhi including the land pertaining to the village of Rajpur Chawani, Malikpur Chawani, Azadpur and Sadhora Kalan. The High Court in R.F.A. No. 26/69 in the case of Mohan Lal Goela Vs. Union of India (supra) whose land was also acquired by notification dated 13.11.1959 wherein the land involved was that of Village Rajpur Chawani, the market value was taken at the rate of Rs.18,000/- per bigha by the co-ordinate Bench of the Delhi High Court whereas the market value of the village Malikpur Chawani was fixed as on 03.10.1962 at Rs.26,000/- per bigha taking Rs.22,000/- per bigha as reference on the basis of sale instances which were prevalent in the year 1959-1960. The other co-ordinate Division Bench vide order dated 17.08.1987 assessed the market value of the land of village Malikpur Chawani as on 03.10.1962 at Rs.26,000/- per bigha, taking Rs.22,000/- per bigha as the basis of sale instances which were prevalent during the year 1959-1960.

17. A different co-ordinate Bench of the High Court in R.F.A. No.570 of 1979 in respect of the land of village Sadhora Kalan acquired under the same notification dated 13.11.1959 had also given compensation at the rate of Rs.15,000/- per bigha. It was contended that the same rate may be fixed to the lands of the appellants by re-determining the market value with that of the lands of the contiguous villages referred to supra involved in other cases. The Division Bench had passed different judgments by determining the market value of the lands of the appellants on the basis of potentiality of the land without considering the case of the appellants that their lands were also at par with that of those land owners as they are also of the

same potentiality and they are similar to each other in view of the fact that the land of the aforesaid contiguous villages and the land of the appellants have been acquired by the Union of India for the same purpose and the same date notification.

18. Therefore, the High Court ought to have awarded the same compensation as that of the other land owners of the contiguous villages referred to supra. The appellants have rightly approached this Court by filing the civil appeals. In our view there is discrimination against them, in violation of Article 14 of the Constitution of India as rightly urged by the learned counsel on behalf of the appellants which Article states that "the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India", and Article 21 of the Constitution of India which states that "No person shall be deprived of his life or personal liberty except according to procedure established by law." In this case, the source of income of the appellants is from the lands acquired from them. Under the provisions of the L.A. Act, reasonable compensation must be awarded at par with the compensation awarded for the lands of other similarly placed persons and in this case, the lands of the appellants and other land owners are similar, having the same potentiality and the purpose for which the land was acquired was also same. In this regard, it is worthwhile to refer to the cases of this Court wherein this court has broadly interpreted Sections 23 and 24 of the L.A. Act and laid down the legal principles and the criteria to be followed by the Land Acquisition Officers, the reference courts and the appellate courts for awarding just and reasonable compensation at par with the other land owners whose lands have been acquired for the same purpose. Some of the decisions of this Court which deal with Sections 23 and 24 of the L.A. Act are as under:

In the case of Special Land Acquisition Officer, BTDA, Bagalkot Vs. Mohd. Hanif Sahib Bawa Sahib[5], this Court has held that the reference court can take into consideration the plots which are covered in the sale instances which were small bits of land, if the acquired land is comparable to the land covered in sale deeds and that placing reliance on such sale instances by the reference court for re-determination of the market value of the acquired land is permissible in law.

19. We have carefully examined the factual and legal contentions urged on behalf of the appellants keeping in view the decision of this Court in the case of Sabhia Mohammed Yusuf Abdul Hamid Mulla & Ors. Vs. Special Land Acquisition Officer & Ors.[6], wherein this Court after interpreting Section 23 of the L.A. Act, referred to the various legal principles laid down by the Bombay High Court and this Court regarding the relevant criteria to be followed by the Land Acquisition Collector and the Courts for determination of the market value of the land acquired for public purpose. In para 7 of the aforesaid judgment reference is made to the judgments of Shashikant Krishanji Vs. Land Acquisition Officer[7] and Nama Padu Huddar Vs. State of Maharashtra[8], relevant portion of which is extracted below:-

"The land involved in the reference in hand and the land involved in State of Maharashtra v. Ramchandra Damodar Koli[9] are virtually identical situated in the same area bearing similar topographical and physical characteristics covered by the same Notification dated 3-2-1970, when the nearby land of the land under reference fetched market value @ Rs 25 per square metre. On the date of notification, certainly the land under reference will fetch the same market value."

20. Also para 16 from Sabhia Mohammed Yusuf Abdul Hamid Mulla (supra) is quoted hereunder:

"16. We have considered the respective arguments and carefully perused the record. It is settled law that while fixing the market value of the acquired land, the Land Acquisition Collector is required to keep in mind the following factors:

i) Existing geographical situation of the land.

ii) Existing use of the land.

iii) Already available advantages, like proximity to National or State Highway or road and/or developed area.

iv) Market value of other land situated in the same locality/village/area or adjacent or very near the acquired land.

21. Further, in *Viluben Jhalejar Contractor Vs. State of Gujarat*[10] this Court has laid down the following principles for determination of market value of the acquired land: (SCC pp. 796-97):-

"17. Section 23 of the Act specifies the matters required to be considered in determining the compensation; the principal among which is the determination of the market value of the land on the date of the publication of the notification under sub-section (1) of Section 4.

18. One of the principles for determination of the amount of compensation for acquisition of land would be the willingness of an informed buyer to offer the price therefor. It is beyond any cavil that the price of the land which a willing and informed buyer would offer would be different in the cases where the owner is in possession and enjoyment of the property and in the cases where he is not.

19. Market value is ordinarily the price the property may fetch in the open market if sold by a willing seller unaffected by the special needs of a particular purchase. Where definite material is not forthcoming either in the shape of sales of similar lands in the neighbourhood at or about the date of notification under Section 4(1) or otherwise, other sale instances as well as other evidences have to be considered."

(Emphasis supplied)

Thus, the judgment of the Bombay High Court referred to in *Sabhia Mohammed Yusuf Abdul Hamid Mulla's case* (supra), and the principles laid down by this Court would clearly go to show the relevant considerations for determination of market value of the acquired land.

22. We are therefore of the view that the co-ordinate Division Benches of the Delhi High Court in respect of the similarly placed RFAs/LPAs have considered and examined the claims of those land owners whose lands were acquired for the purpose of development of Delhi vide notification dated 13.11.1959 and have determined the market value at Rs.18,000/- to Rs.22,000/- per bigha, though in the instant case request was made by filing claim Petitions in the year 2002 to extend the same benefits in relation to these appellants, the High Court, without assigning any reason in awarding the same compensation, has fixed it at Rs.9,000/- per bigha in L.P.A. No. 171 of 1980 and Rs.6,000/- in L.P.A. No. 3 of 1981. Therefore, the appellants are justified in filing these civil appeals and they are entitled for the compensation of Rs.22,000/- per bigha.

23. Further, the impugned judgment and awards are also vitiated under Articles 14 and 21 of the Constitution of India read with Article 300-A in not awarding the reasonable compensation to the appellants whose lands are contiguous to the lands in respect of which the compensation is awarded by re-determining the market value at Rs.18,000/- to Rs.22,000/- per bigha. In not extending the said benefit to the appellants, the Land Acquisition

Collector has discriminated between the appellants and the other land owners of the neighbouring villages whose lands are contiguous to that of the appellants. Therefore, on this ground also the impugned judgments and awards are required to be modified by awarding the compensation for the land owners covered in the aforesaid appeals.

24. In view of the decisions of this Court referred to supra and the re-determination of the market value by the various co-ordinate Division Benches of the High Court in relation to the similar lands of the contiguous villages, which judgments are referred to in the earlier paragraphs of this judgment, the contention urged by the learned Additional Solicitor General is not tenable and therefore, the same shall not be accepted by this Court but on the other hand, the submission made by the learned counsel on behalf of the appellants by placing reliance upon the decisions of this Court and judgments of the different co-ordinate Division Benches of the Delhi High Court in relation to the similarly placed land-owners is well-founded and the same must be accepted. Therefore, we accept the same and award the compensation in favour of the appellants by re-determining the correct market value as mentioned below.

25. In view of the aforesaid, we are required to allow the appeals of the appellants and re-determine the market value at Rs.22,000/- per bigha in relation to the lands of the appellants in both the appeals with all consequential and statutory benefits and interest payable on the compensation along with solatium amount. We also, therefore, allow the C.M. No. 210 of 2001 which was filed by the appellants in L.P.A. No. 3 of 1981 before the High Court for amendment/enhancement of their claim to Rs.22,000/- per bigha by setting aside its order which was erroneously passed. The respondent-Union of India shall quantify the same and issue the demand draft in the names of the appellants within eight weeks from the date of receipt of the copy of this judgment and submit the compliance report failing which the contempt proceedings shall be initiated against the erring concerned officers of the respondent for not complying with this judgment. The appeals are allowed accordingly. There will be no order as to costs.

.....
.....J.
[G.S. SINGHVI]

.....J.
[V. GOPALA GOWDA]

.....J.
[C. NAGAPPAN]

New Delhi,
September 26, 2013

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

CIVIL APPEAL NO(s). 225 OF 2005

CHANDER BHAN (D) BY LRS. AND ORS. Appellant (s)
VERSUS

UNION OF INDIA Respondent(s)
(With appln(s) for directions and office report)
WITH Civil Appeal NO. 3535-3536 of 2005
(With office report)

Date:26/09/2013 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE V. GOPALA GOWDA
HON'BLE MR. JUSTICE C. NAGAPPAN

For Appellant(s) Mr. Harinder Mohan Singh, Adv.
Ms. Shabana, Adv.
Ms. Shama Praveen, Adv.

For Respondent(s) Mr. Rakesh Khanna, ASG
Mr. J.S. Attri, Sr. Adv.
Ms. Rekha Pandey, Adv.
Ms. Priyanka Mathur Sardana, Adv.
Ms. Anjani Aiyagiri, Adv.
Ms. Priyanka Bharihoke, Adv.

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

Arguments heard.

The appeals are allowed in terms of the signed judgment.

| (Parveen Kr.Chawla) | | (Phoolan Wati Arora) |
| Court Master | | Court Master |

[signed Judgment is placed on the file]

[1] 34 (1988) DLT 23
[2] 2002 (65) DRJ 1
[3] JT 1988 (4) S.C. 260
[4] (2002) 3 SCC 463
[5] (2002) 3 SCC 688
[6] (2012) 7 SCC 595
[7] 1993 BCJ 27
[8] 1994 BCJ 316
[9] (1997) 2 Mah. LR 325
[10] (2005) 4 SCC 789
