

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

Petition(s) for Special Leave to Appeal (Civil) No(s).15727/2009

(From the judgement and order dated 22/09/2008 in RFA No. 265/1993 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

DAYA KISHAN
STATE OF HARYANA
VERSUS
Petitioner(s)
Respondent(s)

(With office report)
WITH SLP(C) NO. 17015 of 2009 (With office report)
SLP(C) NO. 17016 of 2009 (With office report)
SLP(C) NO. 17017 of 2009 (With office report)
S.L.P.(C)...CC NO. 9992 of 2009
With I.A.No.1 (c/delay in filing SLP and office report)
WITH SLP(C) NO.17832/2009 (With office report)

Date: 24/07/2009 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s) Mr. N.S. Dalal, Adv.
Mr. R.C. Kaushik, Adv.

For Respondent(s)

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

SLP(C)...../2009 CC.NO.9992

Issue notice both on delay as also on SLP.

Tag with SLP(C) No.23919/2008.

SLP(C) Nos. 15727/2009, 17015/2009, 17016/2009, 17017/2009 & 17832/2009

These SLPs relate to acquisition of certain lands in Bahadurgarh under preliminary notification dated 22.2.1983.

The Land Acquisition Officer made award determining the compensation as Rs.25,000/- to Rs.50,000/- per acre depending upon the type of land. The reference Court increased the compensation to Rs.21/- per sq. yard2.

- 2 -

irrespective of the type of land. When the appeal filed by the claimant against the award of the reference Court came up before the High Court, the learned counsel for the appellant stated that as Rs.36/- per sq. yard had been awarded in Bhim Singh Vs. State of Haryana (RFA No.996 of 1993 decided on 17.3.2008), the appeal may be disposed of as being squarely covered by the said decision.

What is significant is that the appellants did not submit that the compensation awarded in Bhim Singh was less or that they should get more than Rs.36/- per sq. yard. Recording the said submission, the appeals were disposed of by the High Court on the same terms. Thus, the amount

awarded by the High Court is Rs.36/- per sq. yard.

The petitioners have however filed these petitions contending that Rs.36/- per sq. yard is low, on the ground that in some cases connected with Bhim Singh SLPs were filed by claimants and notice has been issued. We find no reason why these SLPs seeking increase should be entertained merely because in some cases connected with Bhim Singh, SLPs have been filed and notice issued, even though petitioners were satisfied with Rs.36/- per sq. yard before the High Court.

We also find that Rs.36/- per sq. yard was determined with reference to an award under which Rs.18.60 per sq. yard was awarded in regard to an acquisition of very nearby land situated in village Hassanpur in the year 1977 by increasing the same by 15% per year for a period of 6 years. We find the amount awarded by the High Court does not call for interference, even on merits.

In view of the above, these SLPs are dismissed as having no merit.

(Ravi P. Verma) (M.S. Negi)
Court Master Court Master