

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 4555 OF 2011

Hukum Singh and Ors.

...Appellant(s)

Versus

Land Acquisition Collector and
Ors.

...Respondent(s)

WITH

CIVIL APPEAL NOS. 5226-5252 OF 2011

CIVIL APPEAL NOS. 6172-6197 OF 2011

CIVIL APPEAL NOS. 7148-7151 OF 2011

CIVIL APPEAL NOS. 7152-7153 OF 2011

CIVIL APPEAL NOS. 7155-7156 OF 2011

CIVIL APPEAL NO. 7395 OF 2011

CIVIL APPEAL NOS. 7397-7400 OF 2011

CIVIL APPEAL NO. 7402 OF 2011

CIVIL APPEAL NOS. 7403-7423 OF 2011

CIVIL APPEAL NOS. 7891-7906 OF 2011

CIVIL APPEAL NOS. 7907-7909 OF 2011

CIVIL APPEAL NOS. 8418-8425 OF 2011

CIVIL APPEAL NOS. 9573-9580 OF 2011

CIVIL APPEAL NOS. 10188-10195 OF 2011

CIVIL APPEAL NOS. 11350-11352 OF 2011

CIVIL APPEAL NOS. 1055-1069 OF 2012

CIVIL APPEAL NO. 1070 OF 2012

CIVIL APPEAL NOS. 1977-1978 OF 2012

CIVIL APPEAL NO. 1997 OF 2012

CIVIL APPEAL NOS. 3275-3276 OF 2012

CIVIL APPEAL NO. 871 OF 2013

CIVIL APPEAL NOS. 1511-1515 OF 2013

CIVIL APPEAL NO. 3971 OF 2013

CIVIL APPEAL NOS. 811-812 OF 2014

O R D E R

1. Delay, in filing the application(s) for substitution, if any, is condoned.
2. Application(s) for substitution, if any, is allowed.

3. Application(s) for impleadment, if any, is allowed.

4. These appeals are directed against the judgment(s) and order(s) passed by the High Court of Punjab and Haryana in a batch of Regular First Appeals, dated 09.12.2010, whereby the appellant-claimants have sought for an enhancement of compensation for the acquired land.

5. Since the facts involved in all the appeals are similar, for the sake of convenience, this Court would notice the facts only in Civil Appeal No. 4555 of 2011, which challenges the judgment(s) and order(s) passed by the High, dated 09.12.2010, while disposing of the present batch of appeals by this common judgment and order.

6. Briefly stated, the facts in the present appeal are: the respondent-State of Haryana issued Notification No. L.A. C(G)- NILA-2003/809 under

Section 4 of the Land Acquisition Act, 1894 (for short, "the Act"), dated 27.01.2003, for the acquisition of land measuring 139.40 acres situated in villages Chandpur, Piwra, Padiawas, Dhaliawas, District Rewari, for a public purpose namely, the development and utilization of land for Residential and Commercial Sector- 18, 19 and 20 Part and Commercial Sector 17 Part at Rewari.

7. Being satisfied that the said land is required for the aforesaid public purpose, the State of Haryana issued a declaration under Section 6 of the Act, dated 23.01.2004. The Land Acquisition Collector (for short, "the Collector") assessed the market value of the acquired land at the rate of Rs. 12,50,000/- per acre, *vide* award dated 20.01.2006.

8. Aggrieved with the award passed by the Collector, the appellants-claimants filed objections and preferred a reference under Section 18 of the Act. The Reference Court assessed the fair market

value of the acquired land at the rate of Rs. 20,00,000/- per acre along with statutory benefits, by order dated 30.09.2009.

9. Aggrieved by the order so passed by the Reference Court, the appellants-claimants approached the High Court by filing Regular First Appeal(s). The appellants-claimants as well as the State of Haryana had produced various sets of sale deeds of adjacent land, before the High Court, in order to determine the fair market value of the acquired land. Insofar as the sale deeds produced by the State of Haryana are concerned, the High Court assessed the average sale consideration at Rs. 14,71,200/- per acre. The High Court, after duly considering the sale deeds produced by the appellants-claimants and further taking into account the fact that they pertained to areas admeasuring two marlas to one kanal and one marla, held that the fair market value would come out to Rs. 19,97,984/- per acre.

10. By the impugned judgment(s) and order(s), the

High Court, taking into consideration the fact that the Reference Court had already awarded Rs. 20,00,000/- per acre to the appellants-claimants, and that the State had not filed any appeal, the High Court dismissed the batch of Regular First Appeals and upheld the order of the Reference Court, whereby and whereunder a compensation of Rs. 20,00,000/- per acre was awarded.

11. Aggrieved by the order(s) so passed by the High Court, the appellants/claimants are before us in these appeals.

12. We have heard learned counsel for the parties to the *lis*. We have also perused the judgment(s) and order(s) passed by the High Court and the courts below.

13. In our considered opinion, the compensation so awarded by the Reference Court and confirmed by the High Court appears to be on the lesser side.

Therefore, keeping in view the peculiar facts and circumstances of the case, and also other factors, we enhance the compensation in favour of the appellants-claimants by another Rs. 1,00,000/- per acre, which is inclusive of all statutory benefits.

14. In view of the above, we allow the appeals filed by the claimants to the extent as stated above.

Ordered accordingly.

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

.....J.
(MADAN B. LOKUR)

.....J.
(A.K. SIKRI)

NEW DELHI,
DECEMBER 11, 2014.

ITEM NO.1

COURT NO.1

SECTION IV

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. 4555/2011

HUKUM SINGH AND ORS.

Appellant(s)

VERSUS

LAND ACQUISITION COLLECTOR AND ORS.

Respondent(s)

WITH

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C.A. No. 6172-6197/2011
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C.A. No. 871/2013
C.A. No. 1511-1515/2013
C.A. No. 3971/2013
C.A. No. 811-812/2014

(With appln. for c/delay in filing substitution, substitution, impleadment, if any and office report in respective matters)

Date : 11/12/2014 These appeals were called on
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE A.K. SIKRI

For Appellant(s) Mr. R.K. Kapoor, Adv.
Ms. Kheyali Sarkar, Adv.
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Mr. Mohinder Singh Yadav, Adv.

Mr. Ranbir Singh Yadav, Adv.
Mr. Puran Mal Saini, Adv.
Ms. Anzu K. Varkey, Adv.

Dr. Sukhdev Sharma, Adv.
Mr. V.K. Vasdev, Adv.
Mr. Bishnu Tiwari, Adv.
Dr. Kailash Chand, Adv.

Mr. Indranil Ghosh, Adv.
Mr. Samiron Borkataky, Adv.
Mr. Kunal Singh, Adv.
Ms. Dharitry Phookan, Adv.

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Mr. Rohit Sharma, Adv.
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Mr. Siddharth Mittal, Adv.
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For Respondent(s) Mr. Manjit Singh, AAG
Ms. Nupur Choudhary, Adv.
Ms. Vivekta Singh, Adv.
Mr. Kamal Mohan Gupta, Adv.

Ms. Prerna Mehta, Adv.
Ms. Anubha Agrawal, Adv.
Mr. Ajay Pal, Adv.

Mr. Narender Hooda, Sr. Adv.
Ms. Bano Deswal, Adv.
Dr. Monika Gusain, Adv.

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

Delay, in filing the application(s) for
substitution, if any, is condoned.

Application(s) for substitution, if any, is
allowed.

Application(s) for impleadment, if any, is allowed.

The appeals filed by the claimants are allowed to the extent as stated in the signed order.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Asstt. Registrar

[Signed order is placed on the file]