

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2585 OF 2014  
(Arising out of S.L.P.(C)No.20037 of 2010)

EXECUTIVE ENGINEERS, STATE OF M.P. APPELLANTS  
AND ANR. ETC.ETC.

VERSUS

MOOL CHAND ETC.ETC. RESPONDENTS

- WITH C.A.NO.2586/2014 @ S.L.P.(C)NO.20038/2010
- WITH C.A.NO.2587/2014 @ SLP(C) No. 20039 of 2010
- WITH C.A.NO.2588/2014 @ SLP(C) No. 20040 of 2010
- WITH C.A.NO.2589/2014 @ SLP(C) No. 20041 of 2010
- WITH C.A.NO.2590/2014 @ SLP(C) No. 20042 of 2010
- WITH C.A.NO.2591/2014 @ SLP(C) No. 20043 of 2010
- WITH C.A.NO.2592/2014 @ SLP(C) No. 20044 of 2010
- WITH C.A.NO.2598/2014 @SLP(C) No. 20045 of 2010
- WITH C.A.NO.2599/2014 @SLP(C) No. 20046 of 2010
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- WITH C.A.NO.2601/2014 @SLP(C) No. 20048 of 2010
- WITH C.A.NO.2602/2014 @SLP(C) No. 20049 of 2010
- WITH C.A.NO.2603/2014 @SLP(C) No. 20050 of 2010
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- WITH C.A.NO.2608/2014 @SLP(C) No. 20055 of 2010
- WITH C.A.NO.2609/2014 @SLP(C) No. 20056 of 2010
- WITH C.A.NO.2610/2014 @SLP(C) No. 20057 of 2010
- WITH C.A.NO.2611/2014 @SLP(C) No. 20058 of 2010
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WITH C.A.NO.2696/2014 @SLP(C) No. 27838 of 2010  
WITH C.A.NO.2697/2014 @SLP(C) No. 27839 of 2010  
WITH C.A.NO.2698/2014 @SLP(C) No. 27840 of 2010  
WITH C.A.NO.2699/2014 @SLP(C) No. 27842 of 2010  
AND  
WITH C.A.NO.2700/2014 @SLP(C) No. 23554 of 2010

O R D E R

1. Leave granted.
2. These appeals are directed against the judgment and order passed by the High Court of Madhya Pradesh, bench at Indore in First Appeal No.329 of 2002 etc.etc., dated 24.07.2009.
3. A notification under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') was issued by the acquiring authority on 06.05.1988 to acquire the extent of lands of village Raukhedi to village Rau Jagir for the construction of a Four Lane Indore Bye-Pass Road on National Highway Agra-Bombay Road. The area is in the length of approximately about 32.6 Kms.
4. After considering the objections that were filed by the land losers/ agriculturists, the acquiring authority has issued a declaration under Section 6 of the Act by issuing a notification dated 12.08.1988.
5. The Land Acquisition Officer/Collector in exercise of his powers under Section 11 of the Act has passed 15 separate awards in respect of 15 villages. By the said awards, the Land Acquisition Officer/Collector had quantified the compensation payable for Irrigated lands, un-irrigated lands and barren lands at Rs.1,01,250/-, Rs.67,500/- and Rs.40,000/- per hectare respectively.
6. Aggrieved by the compensation so awarded, the land losers/agriculturists had sought for a reference under Section 18 of the Act before the Reference Court.

7. After registering the reference and after recording the evidence of the parties, the Reference Court has fixed the compensation at Rs.3,08,750/- per hectare primarily relying on a sale deed dated 15.01.1989.

8. The agriculturists/land-loosers approached the High Court for enhancement of the compensation so awarded by the Reference Court. The Acquiring Authority also had filed their cross-objections.

9. The High Court, by its detailed judgment(s) and order(s), has thought it fit to enhance the compensation awarded by the Reference Court by enhancing the compensation for a sum of Rs.5,50,000/- per hectare. While allowing the appeals, the High Court has primarily relied upon the judgment of the same court in Kashiram vs. State of Madhya Pradesh.

10. Aggrieved by the compensation so quantified by the High Court, the land-loosers/agriculturists are before us in this batch of appeals.

11. We have heard learned counsel for the parties to the lis.

12. We have carefully perused the award(s) passed by the Land Acquisition Officer/Collector, the Reference Court as well as the High Court. In our view, the High Court has not committed any error whatsoever in awarding compensation in a sum of Rs.5,50,000/- per hectare to the land-loosers with all statutory benefits.

13. We intend to notice here that the outlay for the project could be of a sum of Rs.25/- lacs. This, in our opinion, is too meager amount which the acquiring authority should not hesitate to pay to the land-loosers/ agriculturists as the land-loosers/ agriculturists are deprived of their bread earning farm lands.

14. In view of the above, we dismiss these appeals.

Ordered accordingly.

.....J.  
(H.L. DATTU)

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

NEW DELHI;  
FEBRUARY 20, 2014

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.2701-2711 OF 2014  
(Arising out of S.L.P.(C)Nos.5045-5055 of 2011)

RAM KISHAN (D) THR. LRS.  
& ORS. ETC. ETC.

..APPELLANTS

VERSUS

STATE OF MADHYA PRADESH AND ANR.

..RESPONDENTS

WITH

CIVIL APPEAL NOS. 2712-2713 OF 2014  
(Arising out of S.L.P.(C) NOS.6374-6375 of 2011)

O R D E R

1. Leave granted.

2. These appeals are directed against the judgment and order passed by the High Court of Madhya Pradesh, bench at Indore in First Appeal Nos.565, 564, 566, 567, 569, 589, 590 of 2004 and First Appeal Nos. 328, 329, 410 and 411 of 2005, dated 24.07.2009.

3. In these appeals, the appellants are calling in question that portion of the judgment and order passed by the High Court in First Appeal No.565 of 2004 etc.etc., dated 24.07.2009 wherein the High Court has directed the appellants-herein to make appropriate applications before the acquiring authority to determine the compensation as per Section 28-A of the Land Acquisition Act, 1894 (for short 'the Act').

4. In the Civil Appeal arising out of Special Leave Petition (C) No. 20037 of 2010 and other connected matters, we have confirmed the judgment and order passed by the High Court of Madhya Pradesh in First Appeal No.329 of 2002 etc.etc., dated 24.07.2009 and has awarded compensation for a sum of Rs.5,50,000/- per hectare for the lands acquired under Notification No.198-Land Acquisition-88, dated 06.05.1988.

5. In view of the above, we are of the opinion that since the land losers/ agriculturists have been awarded a compensation of Rs.5,50,000/-, the same compensation requires to be paid to the appellants herein without further referring them to the Land Acquisition Collector.

6. In view of the above, we dispose of these appeals in the same terms, observations and directions as passed in Civil Appeal arising out of Special Leave Petition (C) No. 20037 of 2010 and other connected matters.

Ordered accordingly.

.....J.  
(H.L. DATTU)

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

NEW DELHI;  
FEBRUARY 20, 2014  
ITEM NO.3

COURT NO.3

SECTION IVA

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).20037/2010

(From the judgement and order dated 24/07/2009 in FA No.329/2002 of the HIGH COURT OF M.P. AT INDORE)

EXECUTIVE ENGINEERS AND ANR.ETC.ETC.

Petitioner(s)

VERSUS

MOOL CHAND ETC.ETC.  
(With office report )

Respondent(s)

WITH

SLP(C) No. 20038 of 2010  
SLP(C) No. 20039 of 2010  
SLP(C) No. 20040 of 2010  
SLP(C) No. 20041 of 2010  
SLP(C) No. 20042 of 2010  
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SLP(C) No. 27840 of 2010  
SLP(C) No. 27842 of 2010  
SLP(C) No. 23554 of 2010

WITH

SLP(C) Nos. 5045-5055 of 2011  
SLP(C) NOS. 6374-6375 OF 2011

AND WITH SLP(C)NO.4620/2012

Date: 20/02/2014 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU  
HON'BLE MR. JUSTICE A.K. SIKRI

For Petitioner(s) Mr. Mishra Saurabh, Adv.  
Ms. Vanshaja Shukla, Adv.  
Mr. Ankit Lal, Adv.

Ms. Pragati Neekhara, Adv.

Mr. B.S. Banthia, Adv.(NP)

Mr. C.D. Singh, Adv.  
Ms. Sakshi Kakkar, Adv.

Ms. Indu Malhotra, Sr. Adv.  
Mr. O.P. Arya, Adv.  
Mr. Varun Singh, Adv.  
Ms. Namrata Sood Adv.  
Ms. Nishtha Kumar, Adv.  
Mr. P.L. Choudhary, Adv.

Mr. Vikas Mehta, Adv.

For Respondent(s) Ms. Indu Malhotra, Sr. Adv.  
Mr. O.P. Arya, Adv.  
Mr. Varun Singh, Adv.  
Ms. Namrata Sood Adv.  
Ms. Nishtha Kumar, Adv.  
Mr. P.L. Choudhary, Adv.  
Mr. Vikas Mehta, Adv.  
Ms. Pragati Neekhara, Adv.

Mr. B.S. Banthia, Adv. (NP)

Mr. C.D. Singh, Adv.  
Ms. Sakshi Kakkar, Adv.

Mr. Sunil Kumar Jain, Adv.

Mr. Vikas Mehta, Adv.

Mr. Niraj Sharma, Adv.

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

Delay, if any, in filing application for substitution and Special Leave Petition(s) is condoned.

Applications for substitution, if any, are allowed.

S.L.P.(C)No.20037/2010 etc.etc. (Matters filed by Govt./Authority)

Leave granted.

Appeals are dismissed, in terms of the signed order.

SLP(C)Nos.5045-5055/2011 & 6374-6375/2011 (Matters filed by individuals):

Leave granted.

Appeals disposed of, in terms of the signed order.

SLP(C)No.4620/2012:

Dismissed.

(G.V.Ramana)  
Court Master

(Vinod Kulvi)  
Asstt.Registrar

(Two signed orders are placed on the file)