

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6009 OF 2009

AVTAR SINGH & ORS.

...APPELLANT(S)

VERSUS

UNION TERRITORY OF CHANDIGARH

...RESPONDENT(S)

CIVIL APPEAL NO.6010 OF 2009

CIVIL APPEAL NO.6011 OF 2009

CIVIL APPEAL NO.6012 OF 2009

CIVIL APPEAL NO.6013 OF 2009

CIVIL APPEAL NO.7294 OF 2012

CIVIL APPEAL NO.7563 OF 2012

CIVIL APPEAL NO.9211 OF 2012

SPECIAL LEAVE PETITION (C)NO.32196 OF 2010

AND
WITH

SPECIAL LEAVE PETITION (C)NO.15890 OF 2013

O R D E R

1. The facts and question of law involved in all the appeals/petitions-herein are similar, for convenient disposal of the matters, we would only notice the facts in Civil Appeal No.6009 of 2009 as the lead case.

Civil Appeal No.6009 of 2009:
Signature Not Verified

2.
Digitally signed by

This appeal is directed against the judgment and order

Ramana Venkata Ganti
Date: 2015.05.21
10:53:26 IST

passed by the High Court of Punjab and Haryana at Chandigarh in
Reason:

Letters Patent Appeal No.178 of 2002, dated 26.04.2006.

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3. A notification under Section 4 of the Land Acquisition Act, 1894 (for short "the Act"), dated 11.01.1989, was issued to

acquire 123.18 acres of land in village Sarangpur located within the Union Territory, Chandigarh for the purpose of soil conservation.

4. The Land Acquisition Collector (for short, "the LAC"), determined the compensation payable for the acquired lands at Rs.65,440/- per acre by award dated 25.07.1990.

5. 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 Civil Court for determination of the actual market value of the land acquired by the Government. The LAC had referred the case of the claimants to the Reference Court. The Reference Court while calculating the value of the acquired land observed that there was no contemporaneous sale deed and placed reliance on a sale deed executed on 13.11.1981 in village Sarangpur, pertaining to a sum of Rs.80,000/- per acre. The Reference Court added 12 percent to the said amount in addition to some amount on account of location of the land being close to Chandigarh and awarded the compensation at the rate of Rs.2,90,400/- per acre, by order dated 20.01.1998.

6. Being dissatisfied with the compensation awarded by the Reference Court, the claimants had preferred an appeal before the High Court, the learned Single Judge dismissed the appeal, by order dated 27.05.1999.

7. The claimants aggrieved by the order passed by the learned Single Judge filed L.P.A No.178 of 2002 before the High Court. The High Court taking into account the sale deed Ex.A-11 and after allowing 30 per cent deduction arrived at the amount of Rs.5,26,000/- and rounded it off to Rs.5,00,000/- per acre.

Aggrieved by the order so passed by the High Court, the appellants

are before us in these appeals.

8. Heard learned counsel for the parties to the lis.

9. After going through the impugned judgment and order

passed by the High Court and the Courts below as well as the material available on record, we are of the considered opinion

that the High Court was not justified in rounding off the

compensation from Rs.5,26,000/- to Rs.5,00,000/- per acre. Hence,

we take exception to that portion of the order passed by the High

Court. Accordingly, we dispose of this Civil Appeal and quantify

the compensation payable to the appellant in a sum of

Rs.5,26,000/- per acre with all other statutory benefits.

Civil Appeal No.6010 of 2009,
Civil Appeal No.6011 of 2009,
Civil Appeal No.6012 of 2009,
Civil Appeal No.6013 of 2009,
Civil Appeal No.7294 of 2012,
Civil Appeal No.7563 of 2012,
Civil Appeal No.9211 of 2012,
Special Leave Petition (C) No.32196 of 2010,
and with

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Special Leave Petition (C) NO.15890 of 2013

10. In terms of the order passed in Civil Appeal No.6009 of 2009, these appeals/petitions are also disposed of in the same terms, conditions, observations and directions.

Ordered accordingly.

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

.....J.
(ARUN MISHRA)

.....J.
(AMITAVA ROY)

NEW DELHI;
MARCH 17, 2015

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). 6009/2009

AVTAR SINGH & ORS.

Appellant(s)

VERSUS

UNION TERRITORY OF CHANDIGARH

Respondent(s)

(with interim relief and office report)

WITH C.A. No. 6010/2009
(With Office Report)

C.A. No. 6011/2009
(With Office Report)

C.A. No. 6012/2009
(With Office Report)

C.A. No. 6013/2009
(With Office Report)

SLP(C) No. 32196/2010
(With Office Report)

C.A. No. 7294/2012
(With Office Report)

C.A. No. 7563/2012
(With Office Report)

C.A. No. 9211/2012
(With Office Report)

SLP(C) No. 15890/2013
(With Office Report)

Date : 17/03/2015 These appeals/petitions were called on for hearing today.

CORAM :

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

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For Appellant(s) Mr. Ravindra Bana, Adv.

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For Respondent(s) Mr. Sangram S. Saron, Adv.
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Ms. Kamini Jaiswal, Adv.

Ms. Vimla Sinha, Adv.
Mr. Gopal Singh, Adv.

Mr.Sonit Sinhmar,Adv.
Mr. Balbir Singh Gupta,Adv.

Mr.K.G.Bhagat, Adv.
Ms.Divya Shukla, Adv.
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For Respondent(s) Mr.Sangram S.Saron, Adv.
Mr. Shree Pal Singh,Adv.

Ms. Kamini Jaiswal,Adv.

Ms.Vimla Sinha, Adv.
Mr. Gopal Singh,Adv.

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

The appeals as also the Special Leave Petitions are
disposed of, in terms of the signed order.

(G.V.Ramana)
Court Master
(Signed order is placed on the file)

(Vinod Kulvi)
Asstt.Registrar