

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).25406-
25411/2010

(From the judgement and order dated 26/04/2010 in RFA No. 1505/2003
& RFA No. 1506/2003 & RFA No. 1507/2003 & RFA No. 1508/2003 & RFA
No. 1509/2003 & RFA No. 1539/2003 of The HIGH COURT OF PUNJAB &
HARYANA AT CHANDIGARH)

ZILE SINGH AND ORS ETC. ETC.

Petitioner(s)

VERSUS

STATE OF HARYANA AND ORS

Respondent(s)

(With office report)

WITH SLP(C) NO. 26398/2010

(With prayer for interim relief and office report)

SLP(C)No...../2010 (CC No. 14570)

With I.A.1 (c/delay in filing SLP and office report)

SLP(C)No...../2010 (CC No. 14572)

With I.A.1 (c/delay in filing SLP and office report)

SLP(C)No...../2010 (CC No. 14583)

With I.A.1 (c/delay in filing SLP and office report)

SLP(C)No...../2010 (CC No. 14589)

(With appln.(s) for c/delay in filing SLP and office report)

SLP(C) NO. 26424/2010

(With prayer for interim relief and office report)

SLP(C) NO. 26498/2010

(With prayer for interim relief and office report)

SLP(C) NO. 26504/2010

(With prayer for interim relief and office report)

SLP(C) NO. 26542/2010

(With prayer for interim relief and office report)

SLP(C) NO. 26585/2010

(With prayer for interim relief and office report)

SLP(C) NO. 26617/2010

(With prayer for interim relief and office report)

SLP(C) NO. 26661/2010

(With prayer for interim relief and office report)

SLP(C) NO. 26669/2010

(With prayer for interim relief and office report)

SLP(C) NO. 26672/2010

(With prayer for interim relief and office report)

SLP(C) NO. 26779-26785/2010

(With prayer for interim relief and office report)

SLP(C) NO. 26802/2010

2

(With prayer for interim relief and office report)

SLP(C) NO. 26804/2010

(With prayer for interim relief and office report)

SLP(C) NO. 26805/2010

(With prayer for interim relief and office report)

SLP(C) NO. 26813/2010

(With prayer for interim relief and office report)

Date: 17/09/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr.Neeraj Kumar Jain, Sr.Adv.
In SLP(C)Nos. Mr.Sanjay Singh, Adv.
25406-25411/10 Mr.Pratham Kant, Adv.
Mr. Ugra Shankar Prasad,Adv.

Mr.S.B.Upadhyay, Sr.Adv.
Mr.Pawan Upadhyay, Adv.
Mr.Jitender Kr.Yadav, Adv.
Mr.Rohit Kr.Yadav, Adv.
Mr.Param Mishra, Adv.
Mr.Puneet Parihar, Adv.
Ms.Sharmila Upadhyay, Adv.

SLP(C) NO.26779-
26785/2010 Mr.K.K.Mohan, Adv.

For Respondent(s)

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

SLP(C) Nos. 25406-25411/2010 and SLP(C) NO.26779-26785/2010

Feeling dissatisfied with the increase in market value of the acquired land from Rs.225 per square yard to Rs.805/- per square yard, the petitioners have filed these petitions against the judgment of the learned Single Judge of Punjab and Haryana High Court.

After arguing the case for some time, learned counsel for the petitioners made a request that their respective clients may be

3

permitted to withdraw the special leave petitions with liberty to seek review of the judgment under challenge.

The request of the learned counsel is accepted and the special leave petitions are disposed of as withdrawn with liberty in terms of the prayer made.

However, it is made clear that the liberty given to the petitioners to seek review of the impugned judgment shall not be treated as a mandate of this Court to the High Court to entertain the same and the review petitions filed by the petitioners shall be considered and decided on their own merits.

SLP(C) NO. 26398/2010, SLP(C)No...../2010 (CC No. 14570), SLP(C)No...../2010 (CC No. 14572), SLP(C)No...../2010 (CC No. 14583), SLP(C)No...../2010 (CC No. 14589), SLP(C) NO. 26424/2010, SLP(C) NO. 26498/2010, SLP(C) NO. 26504/2010, SLP(C) NO. 26542/2010, SLP(C) NO. 26585/2010, SLP(C) NO. 26617/2010, SLP(C) NO. 26661/2010, SLP(C) NO. 26669/2010, SLP(C) NO. 26672/2010, SLP(C) NO. 26802/2010, SLP(C) NO. 26804/2010, SLP(C) NO. 26805/2010 and SLP(C) NO. 26813/2010

These petitions are directed against judgment dated 26.04.2010 of the learned Single Judge of the Punjab and Haryana High Court who increased market value of the acquired land from Rs.225/- per square yard to Rs.805/- per square yard.

Learned counsel for the petitioners submits that even though his counterpart, who appeared before the High Court had urged that nature, quality and location of the lands belonging to his clients are fully developed and the same cannot be treated at par with undeveloped lands of other claimants and that no deduction should be made towards development charges, the learned Single Judge did not consider the point and as a result of that, his clients have been
4
deprived of their right to get just and reasonable compensation in lieu of the acquisition of their land.

In the context of the submission made by the learned counsel, we asked him to show whether such a point was argued before the learned Single Judge. Thereupon, the learned counsel made a request that his clients may be permitted to withdraw the special leave petitions with liberty to seek review of the judgment under challenge.

In the facts and circumstances of the cases, we accept the request of the learned counsel and dispose of the special leave petitions with liberty in terms of the prayer made.

However, it is made clear that the liberty given to the petitioners to seek review of the impugned judgment shall not be treated as a mandate of this Court to the High Court to entertain the same and the review petitions filed by the petitioners shall be considered and decided on their own merits.

(Satish K. Yadav)
Court Master

(Phoolan Wati Arora)
Court Master