

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 11042 OF 2014
(Arising out of SLP(C) No. 31873 of 2012)

Satbir Singh Appellant (s)

Versus

State of Haryana Respondent(s)

WITH

CIVIL APPEAL NO. 11043 OF 2014
(Arising out of SLP(C) No. 30572/2012)

CIVIL APPEAL NO. 11044-11045 OF 2014
(Arising out of SLP(C) NoS 30987-30988/2012)

CIVIL APPEAL NO. 11046 OF 2014
(Arising out of SLP(C) No. 31044/2012)

CIVIL APPEAL NO. 11047 OF 2014
(Arising out of SLP(C) No. 31061/2012)

CIVIL APPEAL NO. 11048 OF 2014
(Arising out of SLP(C) No. 31327/2012)

CIVIL APPEAL NO. 11049 OF 2014
(Arising out of SLP(C) No. 31354/2012)

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CIVIL APPEAL NO. 11050 OF 2014

Reason:

(Arising out of SLP(C) No. 31364/2012)

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CIVIL APPEAL NO. 11051 OF 2014
(Arising out of SLP(C) No. 31847/2012)

CIVIL APPEAL NO. 11052 OF 2014
(Arising out of SLP(C) No. 31866/2012)

CIVIL APPEAL NO. 11053 OF 2014
(Arising out of SLP(C) No. 31876/2012)

CIVIL APPEAL NO. 11054 OF 2014
(Arising out of SLP(C) No. 31889/2012)

CIVIL APPEAL NO. 11055 OF 2014
(Arising out of SLP(C) No. 31958/2012)

CIVIL APPEAL NO. 11056 OF 2014

(Arising out of SLP(C) No. 31959/2012

CIVIL APPEAL NO. 11057 OF 2014
(Arising out of SLP(C) No. 31960/2012

CIVIL APPEAL NO. 11058 OF 2014
(Arising out of SLP(C) No. 31962/2012

CIVIL APPEAL NO. 11059 OF 2014
(Arising out of SLP(C) No. 31963/2012

CIVIL APPEAL NO. 11060 OF 2014
(Arising out of SLP(C) No. 31964/2012

CIVIL APPEAL NO. 11061 OF 2014
(Arising out of SLP(C) No. 31965/2012

CIVIL APPEAL NO. 11062 OF 2014
(Arising out of SLP(C) No. 31966/2012

CIVIL APPEAL NO. 11063 OF 2014
(Arising out of SLP(C) No. 31967/2012

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CIVIL APPEAL NO. 11064 OF 2014
(Arising out of SLP(C) No. 31968/2012

CIVIL APPEAL NO. 11065 OF 2014
(Arising out of SLP(C) No. 31969/2012

CIVIL APPEAL NO. 11066 OF 2014
(Arising out of SLP(C) No. 31970/2012

CIVIL APPEAL NO. 11067 OF 2014
(Arising out of SLP(C) No. 33586/2012

CIVIL APPEAL NO. 11068 OF 2014
(Arising out of SLP(C) No. 33701/2012

CIVIL APPEAL NO. 11069 OF 2014
(Arising out of SLP(C) No 34269/2012

CIVIL APPEAL NO. 11070 OF 2014
(Arising out of SLP(C) No. 34270/2012

CIVIL APPEAL NO. 11071 OF 2014
(Arising out of SLP(C) No. 34271/2012

CIVIL APPEAL NO. 11072 OF 2014
(Arising out of SLP(C) No. 34274/2012

CIVIL APPEAL NO. 11073 OF 2014
(Arising out of SLP(C) No. 34275/2012

CIVIL APPEAL NO. 11074 OF 2014
(Arising out of SLP(C) No. 34640/2012

CIVIL APPEAL NO. 11075 OF 2014
(Arising out of SLP(C) No. 34889/2012

CIVIL APPEAL NO. 11076 OF 2014
(Arising out of SLP(C) No. 35033/2012

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CIVIL APPEAL NO. 11077 OF 2014
(Arising out of SLP(C) No. 35036/2012

CIVIL APPEAL NO. 11078 OF 2014
(Arising out of SLP(C) No. 35392/2012)

CIVIL APPEAL NO. 11079 OF 2014
(Arising out of SLP(C) No. 36279/2012)

CIVIL APPEAL NO. 11081 OF 2014
(Arising out of SLP(C) No. 36468/2012)

CIVIL APPEAL NO. 11082 OF 2014
(Arising out of SLP(C) No. 37647/2012)

CIVIL APPEAL NO. 11083 OF 2014
(Arising out of SLP(C) No. 37649/2012)

CIVIL APPEAL NO. 11084 OF 2014
(Arising out of SLP(C) No. 37650/2012)

CIVIL APPEAL NO. 11085 OF 2014
(Arising out of SLP(C) No. 37651/2012)

CIVIL APPEAL NO. 11086 OF 2014
(Arising out of SLP(C) No. 37652/2012)

CIVIL APPEAL NO. 11088 OF 2014
(Arising out of SLP(C) No. 37653/2012)

CIVIL APPEAL NO. 11089 OF 2014
(Arising out of SLP(C) No. 37656/2012)

CIVIL APPEAL NO. 11090 OF 2014
(Arising out of SLP(C) No. 37657/2012)

CIVIL APPEAL NO. 11091 OF 2014
(Arising out of SLP(C) No. 37658/2012)

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CIVIL APPEAL NO. 11092 OF 2014
(Arising out of SLP(C) No. 37659/2012)

CIVIL APPEAL NO. 11093 OF 2014
Arising out of SLP(C) No. 37743/2012

CIVIL APPEAL NO. 11094 OF 2014
(Arising out of SLP(C) No. 37744/2012)

CIVIL APPEAL NO. 11095 OF 2014
(Arising out of SLP(C) No. 7714/2013)

CIVIL APPEAL NO. 11096 OF 2014
(Arising out of SLP(C) No. 12676/2013)

CIVIL APPEAL NO. 11097 OF 2014
(Arising out of SLP(C) No. 12678/2013)

CIVIL APPEAL NO. 11098 OF 2014
(Arising out of SLP(C) No. 12679/2013)

CIVIL APPEAL NO. 11099 OF 2014
Arising out of SLP(C) No. 13845/2013

CIVIL APPEAL NO. 11100 OF 2014
(Arising out of SLP(C) No.17700/2013)

CIVIL APPEAL NO. 11101 OF 2014
(Arising out of SLP(C) No. 17705/2013)

CIVIL APPEAL NO. 11102 OF 2014

(Arising out of SLP(C) No.17717/2013

CIVIL APPEAL NO. 11103 OF 2014
(Arising out of SLP(C) No. 22443/2013
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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. Leave granted.
5. Since the issues involved in all these appeals are identical, for the sake of convenience, while disposing of this batch of appeals by this common judgment and order, this Court would notice the facts in Civil Appeal arising out of SLP(C) No. 31873 of 2012.

CIVIL APPEAL NO.....of 2014 (Arising out of SLP(C) No. 31873 of 2012)

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6. The claimant, aggrieved by the judgment and order passed by the High Court of Punjab and Haryana at Chandigarh in RFA No. 4873 of 2009, dated 23.02.2012, is before us in these appeals.

7. The facts in a nutshell are: the respondent-State issued a notification under Section 4 of the Land Acquisition Act (for short "the Act"), to acquire 497.30 and 19.80 acres of

land, situated in village Jharsantly, Hadblast No. 44 and village Ballabgarh, Hadblast No. 78 respectively, Tehsil Ballabgarh, District Faridabad for the development and utilization of lands as Industrial Area in Sector 58, Faridabad within Faridabad-Ballabgarh Controlled Area under the Haryana Urban Development Authority Act, 1977, dated 26.12.1988.

8. After due consideration of the objections

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filed by the claimants under Section 5-A of the Act, the acquiring authority had recommended issuance of a notification under Section 6 of the Act to the State Government. Accordingly, the State Government had issued a notification under Section 6 of the Act, declaring that the said land would be acquired for the notified public purpose, dated 22.12.1989.

9. After issuance of the aforesaid notification, the Land Acquisition Collector (for short, "the LAC") by a common award, dated 19.12.1991, had assessed the market value of the acquired land at Rs. 2,40,000/- per acre for Chahi, Nehri, Magda, Banjar Qadim and Gair Mumkin land and Rs. 1,50,000/- per acre for Gair Mumkin Talab land pertaining to the Village Jharsently and Rs. 2,40,000/- per acre for the land, pertaining to village Ballabgarh.

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10. The claimants, not being satisfied with the compensation so awarded, had 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 State Government. The LAC had referred the case of the claimants to the Reference Court. The Reference Court below, by an award dated 12.05.1993, had assessed the market value of the acquired lands at the rate of Rs. 150/- per square yard.

11. Aggrieved by the aforesaid order of the Reference Court, the land owners as well as the State had filed appeals before the High Court. The High Court assessed the market value of the acquired land at Rs. 165/- per square yard, by judgment and order dated 13.02.2001.

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12. The claimants aggrieved by the aforesaid had approached this Court in Civil Appeal No. 4819 of 2008 and other connected matters, wherein by order dated 04.08.2008, this Court has remanded the said appeals back to the Reference Court for de novo consideration.

13. Thereafter, the Reference Court, keeping in view the potentiality of the acquired lands, had assessed the market value of the said land which abuts to the National Highway up to the depth of 2 acres at the rate of Rs. 175/- per square yard, whereas for the remaining lands falling at the depth of two or more acres from the National Highway the rate of Rs. 140/- per square yard along with all the statutory benefits, by order dated 05.05.2009.

14. The claimants, aggrieved by the aforesaid

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order of the Reference Court, had preferred appeals before the High Court. The High Court disposed of the appeals pending before it arising out of the first round of litigation and also fresh awards passed by the Reference Court. The High Court, keeping in its view the potentiality of the land and the sale transactions produced by the claimants, has assessed the market value of the acquired land in respect of Sector 59, Faridabad at the rate of Rs. 165/- per square yard upto two acres on National Highway and at the rate of Rs. 132/- per square yard for the rest of the land and in respect of Sector 58, Faridabad at the rate of Rs. 175/- per square yard upto the depth of two acres and Rs. 140/- per square yard beyond the said two acres from the National Highway, by order dated 23.02.2012.

15. Aggrieved by the aforesaid judgment and order passed by the High Court, the claimants

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are before us in this appeal.

16. We have heard Shri Kailash Vasdev and Shri Dinesh Dwivedi, learned senior counsel appearing for the appellant(s) and Shri Manjit Singh, learned Additional Advocate General for the State of Haryana.

17. We have carefully perused the award(s)/order(s) passed by the Courts below.

In our considered opinion, keeping in view the peculiar facts and circumstances of the case and also other factors, we intend to enhance the

compensation from Rs. 132/-, Rs. 140/- and Rs. 165/-per square yard respectively to Rs. 175/- per square yard in respect of all kinds of land(s) situated in Sector 58 and 59, Faridabad, which is at par with the market value assessed at Rs. 175/- per square yard upto the depth of two acres in respect of Sector 58, Faridabad.

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18. Therefore, the compensation is awarded at the rate of Rs. 175/- per square yard in respect of all kinds of land(s) situated in Sector 58 and 59, Faridabad and consequently, the judgment and order passed by the High Court stands modified to the aforesaid extent. On the enhanced amount, appellants would be entitled to all the statutory benefits.

19. In the result, all the civil appeals are allowed in terms of the order passed above.

Ordered accordingly.

.....CJI.
[H.L. DATTU]

.....J.
[MADAN B. LOKUR]

.....J.
[A.K. SIKRI]

NEW DELHI,
DECEMBER 10, 2014.

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ITEM NO.3

COURT NO.1

SECTION IVB

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 31873/2012

(Arising out of impugned final judgment and order dated 23/02/2012 in RFA No. 4873/2009 passed by the High Court Of Punjab & Haryana At Chandigarh)

SATBIR SINGH

Petitioner(s)

VERSUS

STATE OF HARYANA

Respondent(s)

WITH

SLP(C) No. 30572/2012

SLP(C) No. 30987-30988/2012

SLP(C) No. 31044/2012

SLP(C) No. 31061/2012

SLP(C) No. 31327/2012

SLP(C) No. 31354/2012

SLP(C) No. 31364/2012

SLP(C) No. 31847/2012

SLP(C) No. 31866/2012

SLP(C) No. 31876/2012

SLP(C) No. 31889/2012

SLP(C) No. 31958/2012

SLP(C) No. 31959/2012

SLP(C) No. 31960/2012

SLP(C) No. 31962/2012

SLP(C) No. 31963/2012

SLP(C) No. 31964/2012

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SLP(C) No. 31965/2012

SLP(C) No. 31966/2012

SLP(C) No. 31967/2012

SLP(C) No. 31968/2012

SLP(C) No. 31969/2012

SLP(C) No. 31970/2012

SLP(C) No. 33586/2012

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SLP(C) No. 33701/2012

SLP(C) No. 34269/2012

SLP(C) No. 34270/2012

SLP(C) No. 34271/2012

SLP(C) No. 34274/2012

SLP(C) No. 34275/2012

SLP(C) No. 34640/2012

SLP(C) No. 34889/2012

SLP(C) No. 35033/2012
SLP(C) No. 35036/2012
SLP(C) No. 35392/2012
SLP(C) No. 36279/2012
SLP(C) No. 36468/2012
SLP(C) No. 37647/2012
SLP(C) No. 37649/2012
SLP(C) No. 37650/2012
SLP(C) No. 37651/2012
SLP(C) No. 37652/201217

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SLP(C) No. 37653/2012
SLP(C) No. 37656/2012
SLP(C) No. 37657/2012
SLP(C) No. 37658/2012
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SLP(C) No. 37659/2012
SLP(C) No. 37743/2012
SLP(C) No. 37744/2012
SLP(C) No. 7714/2013
SLP(C) No. 12676/2013
SLP(C) No. 12678/2013
SLP(C) No. 12679/2013
SLP(C) No. 13845/2013
SLP(C) No. 17700/2013
SLP(C) No. 17705/2013
SLP(C) No. 17717/2013
SLP(C) No. 22443/2013

(With appln(s). for interim relief, permission to bring on record the additional documents on record, c/delay in filing/refiling SLPs, impleadment, office report, if any, in respective matters)

Date : 10/12/2014 These petitions 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 Petitioner(s) Mr. Kailash Vasdev, Sr. Adv.

Mr. Dinesh Dwivedi, Sr. Adv.
Mr. Gopal Singh, Adv.

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Mr. Anil Mittal, Adv.
Mr. Vibhuti Sushant Gupta, Adv.
Dr. Kailash Chand, Adv.

Ms. Rakhi Ray, Adv.

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

For Respondent(s) Mr. Manjit Singh, AAG
Mrs. Nupur Choudhary, Adv.
Mrs. Vivekta Singh, Adv.
Mr. Kamal Mohan Gupta, Adv.

Ms. Naresh Bakshi, 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.

Leave granted.

The civil appeals are allowed in terms of
the signed order.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Asstt. Registrar

[Signed order is placed on the file]