

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.12631 OF 2017

JITENDRA & ORS.

APPELLANT (S)

VERSUS

STATE OF U.P. & ANR.

RESPONDENT (S)

WITH

CIVIL APPEAL NO.16993/2017

CIVIL APPEAL NO.22945/2017
(@ SLP (C) No.35484/2017)

CIVIL APPEAL NO.22946/2017
(@ SLP (C) No.35486/2017)

CIVIL APPEAL NO.22947/2017
(@ SLP (C) No.35487/2017)

CIVIL APPEAL NO.22915/2017
(@ SLP (C) No.32803/2017)

CIVIL APPEAL NOS.22917-22941/2017
(@ SLP (C) No.29008-29032/2016)

CIVIL APPEAL NO.22914/2017
(@ SLP (C) No.7581/2017)

CIVIL APPEAL NO.22942/2017
(@ SLP (C) No.37363/2016)

CIVIL APPEAL NO.22916/2017
(@ SLP (C) No.9602/2017)

CIVIL APPEAL NO.22943/2017
(@ SLP (C) No.20500/2017)

CIVIL APPEAL NO.22948/2017
(@ SLP (C) No.35488/2017)

O R D E R

C.A.No.12631/2017, C.A.No.16993/2017, C.A.No.22945/2017
C.A.No.22946/2017 & C.A.No.22947/2017

Delay condoned.

Leave granted.

In the facts and circumstances of the case, no case for further enhancement of compensation is made out. The appeals filed by the land owners are accordingly dismissed.

C.A.No.22915/2017, C.A.No.22917-22941/2017, C.A.No.22914/2017
C.A.No.22942/2017, C.A.No.22916/2017, C.A.No.22943/2017 AND
C.A.No.22948/2017

Delay condoned.

Leave granted.

The notification under Section 4 of the Land Acquisition Act, 1894 was issued on 17th March, 1988. The Land Acquisition Officer granted compensation at the rate of Rs.70/- per square yard and the Reference Court enhanced it to Rs.106/- per square yard. The value determined by the High Court was Rs.130/- per square yard after making a deduction of 35% towards development cost.

In the facts and circumstances of the case, in our opinion, the only modification required in the impugned orders is with respect to the aspect that 25% deduction deserves to be made instead of 35% made by the High Court.

We make deduction of 25% in the facts and circumstances of the case instead of 35%. Thus, the amount of compensation comes to Rs.150/- per square yard instead of Rs.130/- per square yard. The compensation amount is enhanced to Rs.150/- per square yard along with statutory benefits.

The appeals filed by the land owners are allowed to the aforesaid extent.

.....J.
(ARUN MISHRA)

.....J.
(MOHAN M. SHANTANAGOUDAR)

NEW DELHI,
DECEMBER 12, 2017.

Date : 12-12-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Appellant(s)

Mr.S.R.Singh, Sr.Adv.
Mr.Mangal Prasad, Adv.
Mr.Dhruv Paliwal, Adv.
Ms.Shweta Yadav, Adv.
Mr.Mohd. Muztaba, Adv.
Mr.Yash Pal Dhingra, Adv.

Mr.K.S.Rana, Adv.
Mr.Aditya Sharma, Adv.
Mr.Anil Kumar Sharma, Adv.

Dr.J.P.Dhanda, Adv.
Ms.Raj Rani Dhanda, Adv.
Mr.Vineet Dhanda, Adv.
Ms.Komal Narula, Adv.
Mr.Tarun Kumar, Adv.
Mr.Gopi Chand, Adv.
Mr.N.A.Usmani, Adv.
Mr.A.K.Vasishtha, Adv.

For Respondent(s)

(State of U.P.)

Mr.Ajay Kumar Mishra, Sr.Adv. (AAG)
Mr.Manoj K. Mishra, Adv.
Mr.Rajiv Dubey, Adv.
Mr.Kamlendra Mishra, Adv.

Mr. Ravindra Kumar, AOR

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

C.A.No.12631/2017,Diary No(s).7551/2017, C.A.No.16993/2017,
Diary No(s).34379/2017 & Diary No(s).16897/2017

Delay condoned.

Leave granted.

The appeals are dismissed in terms of the signed order.

SLP (C) No.32803/2017, SLP (C) No.29008-29032/2016, SLP (C) No.7581/2017, SLP (C) No.37363/2016, SLP (C) No.9602/2017, SLP (C) No.20500/2017 & Diary No.10587/2017

Permission to file SLP is granted.

Delay condoned.

Delaying in filing application for substitution is condoned.

Application for substitution is allowed.

Leave granted.

The appeals are disposed of in terms of the signed order.

Pending application(s) also stand disposed of.

(Ashok Raj Singh)

Court Master

(Signed Order is placed in the file)

(Madhu Narula)

Court Master