

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

CONTEMPT PETITION (C) NO. 904/2016

IN

SLP(C) No. 4248/2014

HARDWARI AND ORS. ETC.

PETITIONER(S)

VERSUS

RAMA RAMAN C.E.O. AND ANR.

RESPONDENT(S)

WITH

CONTEMPT PETITION (C) NO. 916/2016 IN SLP(C) NO. 4322/2014
CONTEMPT PETITION (C) NO. 20/2017 IN SLP(C) NO. 4237/2014
CONTEMPT PETITION (C) NO. 21/2017 IN SLP(C) NO. 4291/2014
CONTEMPT PETITION (C) NO. 22/2017 IN SLP(C) NO. 4249/2014
CONTEMPT PETITION (C) NO. 23/2017 IN SLP(C) NO. 4307/2014
CONTEMPT PETITION (C) NO. 24/2017 IN SLP(C) NO. 4308/2014
CONTEMPT PETITION (C) NO. 25/2017 IN SLP(C) NO. 4281/2014
CONTEMPT PETITION (C) NO. 26/2017 IN SLP(C) NO. 4250/2014

O R D E R

CONTEMPT PETITION (C) NO. 904/2016 IN SLP(C) NO. 4248/2014, CONTEMPT PETITION (C) NO. 20/2017 IN SLP(C) NO. 4237/2014, CONTEMPT PETITION (C) NO. 22/2017 IN SLP(C) NO. 4249/2014, CONTEMPT PETITION (C) NO. 23/2017 IN SLP(C) NO. 4307/2014, CONTEMPT PETITION (C) NO. 25/2017 IN SLP(C) NO. 4281/2014.

In a batch of writ petitions filed before the High Court challenging the compulsory acquisition of land by invoking the urgency clause under Section 17 of the Land Acquisition Act, 1894, the High Court had held that the urgency clause was wrongly invoked. At the same time, having regard to the developments which the New Okhla Industrial Development Authority ('NOIDA') has made in the meantime, land of this acquisition was allowed to go

unaffected with the direction that additional compensation of 64.7% shall be paid to such land owners and they shall also be entitled to 10% of their land after the same is developed by NOIDA. The aforesaid directions were upheld by this Court. The petitioners have filed these contempt petitions stating that in their case though the compensation is paid, 10% of the developed land was not given. In the reply of the respondents, it is pointed out that, in fact, the land of these petitioners was never acquired and as far as these petitioners are concerned, they have voluntarily sold their land to NOIDA even before the initiation of acquisition proceedings qua other land. He, therefore, submits that since hundreds of cases were filed in the High Court as well as in this Court, qua these petitioners, this fact went uncontested.

We are of opinion that it is not a case where the contempt proceedings can be initiated. Whether the petitioners would be entitled to any land in view of the aforesaid fact situation or not, needs to be adjudicated upon. Giving the liberty to file appropriate case before the appropriate forum, these petitions are disposed of.

CONTEMPT PETITION (C) NO. 24/2017 IN SLP(C) NO. 4308/2014 & CONTEMPT PETITION (C) NO. 26/2017 IN SLP(C) NO. 4250/2014.

It is not in dispute that the amount of compensation as directed by the High Court and affirmed by this Court has already been paid to the petitioners. Another direction was to give 10% of land after the development. There was a specific provision made in the order that in case NODIA has already allotted 5% Abadi plots, for balance area monetary compensation equivalent to 5% can be

made. In para 6 of the reply filed by NOIDA, it is specifically stated that in the case of these petitioners, monetary value equivalent to 5% area has already been offered to the petitioners. The petitioners dispute the value offered for the land in question. That can be agitated at the appropriate forum. With these observations, the contempt petitions are disposed of.

CONTEMPT PETITION (C) NO. 21/2017 IN SLP(C) NO. 4291/2014 & CONTEMPT PETITION (C) NO. 916/2016 IN SLP(C) NO. 4322/2014.

In view of the explanation given in the counter affidavit, these contempt petitions are also closed in terms of the order passed in Contempt Petition (C) No. 904/2016 in SLP(C) No. 4248/2014 etc.

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

.....J.
[ASHOK BHUSHAN]

NEW DELHI;
APRIL 17, 2017.

ITEM NO.48

COURT NO.8

SECTION XI

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

CONMT.PET. (C) No. 904/2016 In SLP(C) No. 4248/2014

HARDWARI AND ORS. ETC.

Petitioner(s)

VERSUS

RAMA RAMAN C.E.O. AND ANR.

Respondent(s)

(WITH APPLN. (S) FOR EXEMPTION FROM FILING O.T. AND OFFICE REPORT)

WITH

CONMT.PET. (C) No. 916/2016 In SLP(C) No. 4322/2014

(WITH OFFICE REPORT)

CONMT.PET. (C) No. 20/2017 In SLP(C) No. 4237/2014

(WITH APPLN. (S) FOR EXEMPTION FROM FILING O.T. AND OFFICE REPORT)

CONMT.PET. (C) No. 21/2017 In SLP(C) No. 4291/2014

(WITH APPLN. (S) FOR EXEMPTION FROM FILING O.T. AND OFFICE REPORT)

CONMT.PET. (C) No. 22/2017 In SLP(C) No. 4249/2014

(WITH APPLN. (S) FOR EXEMPTION FROM FILING O.T. AND OFFICE REPORT)

CONMT.PET. (C) No. 23/2017 In SLP(C) No. 4307/2014

(WITH APPLN. (S) FOR EXEMPTION FROM FILING O.T. AND OFFICE REPORT)

CONMT.PET. (C) No. 24/2017 In SLP(C) No. 4308/2014

(WITH APPLN. (S) FOR EXEMPTION FROM FILING O.T. AND OFFICE REPORT)

CONMT.PET. (C) No. 25/2017 In SLP(C) No. 4281/2014

(WITH APPLN. (S) FOR EXEMPTION FROM FILING O.T. AND OFFICE REPORT)

CONMT.PET. (C) No. 26/2017 In SLP(C) No. 4250/2014

(WITH APPLN. (S) FOR EXEMPTION FROM FILING O.T. AND OFFICE REPORT)

Date : 17/04/2017 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Brijender Chahar, Sr.Adv.

Mr. Sanjay Kumar Tyagi, Adv.

Mr. Sidharth Acharya, Adv.

For Respondent(s) Mr. Ravindra Kumar, Adv.

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

The contempt petitions are disposed of in terms of the signed
order.

Pending application(s), if any, stands disposed of
accordingly.

(Ashwani Thakur)
COURT MASTER

(Mala Kumari Sharma)
COURT MASTER

(Signed order is placed on the file)