

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.19286-19289 OF 2017
(@ SPECIAL LEAVE PETITION (CIVIL) NOS. 22037-22040 OF 2016)

RANVIR @ KALUA AND ORS. ETC. ETC. . . . APPELLANT(S)

VERSUS

STATE OF HARYANA & ORS. . . . RESPONDENT(S)

WITH

CIVIL APPEAL NO.19290-19321 OF 2017
(@ SLP(C) No. 27730-27761/2016)

CIVIL APPEAL NO.19324 OF 2017
(@ SLP(C) No. 26793/2016)

CIVIL APPEAL NO.19322-19323 OF 2017
(@ SLP(C) No. 27950-27951/2016)

CIVIL APPEAL NO.19327 OF 2017
(@ SLP(C) No. 37449/2016)

CIVIL APPEAL NO.19326 OF 2017
(@ SLP(C) No. 37452/2016)

(CIVIL APPEAL NO.19325 OF 2017
(@ SLP(C) No. 37448/2016)

CIVIL APPEAL NO.19334 OF 2017
(@ SLP(C) No. 3399/2017)

CIVIL APPEAL NO.19329-19333 OF 2017
(@ SLP(C) No. 3393-3397/2017)

CIVIL APPEAL NO.19328 OF 2017
(@ SLP(C) No. 37450/2016)

CIVIL APPEAL NO.19335 OF 2017
(@ SLP(C) No. 10219/2017)

CIVIL APPEAL NO.19336 OF 2017
(@ SLP(C) No. 22839/2017)

CIVIL APPEAL NO.19337 OF 2017
(@ SLP(C) No. 23582/2017)

O R D E R

Leave granted.

Heard learned counsel for the parties.

The land owners are in appeal for enhancement of the compensation. Their valuable land has been acquired by the Haryana Government, vide its Notification No.LAC(F)/NTLA/2006/261, dated 15.06.2006, under Section 4 of the Land Acquisition Act, situated at City Palwal, Hadbast No.116, Tehsil and District Faridabad (Now Palwal), State of Haryana. The Land Acquisition Collector determined the market value of the acquired land and determined the compensation @ Rs.16,00,000/- per acre. The Reference Court enhanced the compensation to Rs.24,48,396/- per acre. The High Court affirmed the view taken by the Reference Court. Dissatisfied therewith, the appeals have been preferred for enhancement of the compensation. The High Court has relied upon the decision of *Dharambir's* case in which, compensation had been awarded at the rate of Rs.306/- per square yard; it has also granted a 12%

increase with cumulative basis, and has worked out the compensation accordingly. Discarding the sale evidence that has been placed on record.

Learned counsel appearing for the Land owners submitted that considering the sale exemplar that were placed on record value of land was Rs.1280/- per square yard. Thus amount that has been awarded i.e. Rs.506 per square yard is on the lower side. The counsel on behalf of State has contended that no case for enhancement of compensation was made out. He has supported the decision of reference court and High Court.

Reference has been made to the comparative sale transactions P-1 to P-5, P-10 to P-27. The sale deeds P-7 and P-8 have to be excluded for the reason that they were executed on 23.02.2007 post notification issued under Section 4.

The comparative sale evidence that has been placed on record by the land owners indicated the sale ranging between Rs.913/- to Rs.1281/-. Most of the sale deeds evinced the rate of Rs.1281/- per square yard whereas the evidence adduced by the State Government reflected the price in the sale deeds of

the maximum value of Rs.254/- per square yard. The majority of sale transactions indicated sale at the rate of Rs.1281 per square yard. However, some of the sale deeds are for small area and certain deduction are required to be made for smallness as well as for development. Considering the sale instance on record, for area of 4840 square yard that was for quite large area and as most of the sale deeds evinced the price to be Rs.1280/-. We determine value at Rs.1280/- per square yard. We make 50% deduction for development and smallness, as such amount to be awarded comes to Rs.640/- per square yard. We enhance the compensation from Rs.506/- per square yard to Rs.640/- per square yard to be paid along with statutory benefits.

The compensation to be paid as far as possible within a period four months from today.

The appeals are allowed to the aforesaid extent.
No costs.

.....J.
[ARUN MISHRA]

.....J.
[MOHAN M. SHANTANAGOUDAR]

NEW DELHI;
8TH NOVEMBER, 2017.

ITEM NO.8

COURT NO.10

SECTION IV-B

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). 22037-22040/2016

(Arising out of impugned final judgment and order dated 10-12-2015 in RFA No. 4071/2013(O&M) RFA No. 4077/2013(O&M) RFA No. 4081/2013(O&M) and RFA No. 4085/2013(O&M) passed by the High Court Of Punjab & Haryana At Chandigarh)

RANVIR @ KALUA AND ORS ETC ETC

Petitioner(s)

VERSUS

STATE OF HARYANA & ORS.

Respondent(s)

WITH

SLP(C) No. 27730-27761/2016 (IV-B)SLP(C) No. 26793/2016 (IV-B)SLP(C) No. 27950-27951/2016 (IV-B)SLP(C) No. 37449/2016 (IV-B)SLP(C) No. 37452/2016 (IV-B)SLP(C) No. 37448/2016 (IV-B)SLP(C) No. 3399/2017 (IV-B)SLP(C) No. 3393-3397/2017 (IV-B)SLP(C) No. 37450/2016 (IV-B)SLP(C) No. 10219/2017 (IV-B)SLP(C) No. 22839/2017 (IV-B)

(IA No.75138/2017-CONDONATION OF DELAY IN FILING and IA No.75141/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.75139/2017-CONDONATION OF DELAY IN REFILING)

SLP(C) No. 23582/2017 (IV-B)

(IA No.73917/2017-CONDONATION OF DELAY IN FILING and IA No.73916/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.73919/2017-CONDONATION OF DELAY IN REFILING)

Date : 08-11-2017 These petitions were called on for hearing today.

CORAM :

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

For Petitioner(s) Mr. Pradeep Kumar Kaushik, Adv.
Mr. Rameshwar Prasad Goyal, AOR
Kr. Rajesh Singh Rawat, Adv.

Mr. Rohit Vats, Adv.
Ms. Monika Sharma, Adv.
Mr. Daya Krishan Sharma, AOR

Mr. Somvir Singh Deswal, Adv.
Mrs. Amit Kujari Saroha, Adv.
Mr. Satbir Singh Pillania, Adv.
Mr. Nischal Kumar Neeraj, AOR

Mr. Jairaj Singh, Adv.
Dr. Dinesh Rattan Bhardwaj, AOR

Mr. Siddharth Batra, Adv.
Mr. Ajit Sharma, AOR

For Respondent(s) Mr. Ajay Bansal, AAG
Mr. Sanjay Kumar Visen, Adv.
Mrs. Veena Bansal, Adv.
Mr. Devendra Singh, Adv.
Mr. Gaurav Yadav, Adv.
Mr. Dheeraj Gupta, Adv.

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

Leave granted.

The appeals are allowed in terms of the signed
order.

Pending application(s), if any, shall also
stand disposed of.

(MADHU BALA)
COURT MASTER (SH)
(Signed order is placed on the file)

(JAGDISH CHANDER)
BRANCH OFFICER