

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 3926-3940 OF 2015
(@ S.L.P. (CIVIL) NOS.18007-18021 OF 2014)

BALBIR SINGH @ BALBIR & ORS.
ETC.ETC. ...APPELLANT (S)

VERSUS

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

WITH

CIVIL APPEAL NO. 3941 OF 2015
@ SLP (C) NO.24212 OF 2014

CIVIL APPEAL NO. 3942 OF 2015
@ SLP (C) NO.24353 OF 2014

CIVIL APPEAL NOS.3943-3949 OF 2015
@ SLP (C) NOS.26834-26840 OF 2014

CIVIL APPEAL NOS. 3950-3974 OF 2015
@ SLP (C) NOS.36271-36295 OF 2014

CIVIL APPEAL NO. 3975 OF 2015
@ SLP (C) NO.28210 OF 2014

CIVIL APPEAL NOS. 3976-3982 OF 2015
@ SLP (C) NOS.30062-30068 OF 2014

CIVIL APPEAL NOS.3983-3985 OF 2015
@ SLP (C) NOS.28812-28814 OF 2014

CIVIL APPEAL NO. 3986 OF 2015
@ SLP (C) NO.33041 OF 2014

CIVIL APPEAL NO.3987 OF 2015
@ SLP (C) NO.34190 OF 2014

CIVIL APPEAL NOS. 3988-3989 OF 2015
@ SLP (C) NOS.28897-28898 OF 2014

CIVIL APPEAL NO. 3990 OF 2015
@ SLP(C)NO.1098 OF 2015

CIVIL APPEAL NO. 3991 OF 2015
@ SLP(C)NO.9706 OF 2015

CIVIL APPEAL NO. 3992 OF 2015
@ SLP(C)NO.6723 OF 2015

CIVIL APPEAL NO. 3993 OF 2015
@ SLP(C)NO.7793 OF 2015

CIVIL APPEAL NO. 3994 OF 2015
@ SLP(C)NO.7223 OF 2015

CIVIL APPEAL NO. 3995 OF 2015
@ SLP(C)NO.9113 OF 2015

CIVIL APPEAL NO. 3996 OF 2015
@ SLP(C)NO.28258 OF 2014

AND

WITH

CIVIL APPEAL NO. 3997 OF 2015
@ SLP(C)NO.11557 OF 2015

O R D E R

1. Leave granted.
2. Delay, if any, in filing/ refiling the Special Leave Petition(s) and application for substitution is/are condoned.

3. Application(s) for substitution, if any, is/are allowed.

4. These appeals are directed against the common judgment and order, passed by the High Court of Punjab and Haryana at Chandigarh in R.F.A. Nos. 5055, 5058, 5056, 5057, 5059, 5054, 5231, 5060, 4133 of 2009 and 490, 4110, 491, 492, 3318 of 2010 and 3486 of 2011, dated 27.03.2014, whereby and whereunder the High Court has dismissed the appeals filed by the claimants- appellants herein.

5. The facts, in brief, are: The State of Haryana has issued a notification, under Section 4 of the Land Acquisition Act, 1894 (for short, "the Act"), vide which the respondent-State sought to acquire certain land situated in village Phoosgarh (302.32 acres), Karnal (Haryana) Hadbast No.1 and Budhkhera (155.17 acres) for the public purpose of development and utilization of residential and commercial area for Sector 9 Part 32 and 33 in Urban Estate, Karnal, dated 02.01.2002. The same was followed by a declaration, under Section 6 of the Act, dated 24.12.2002.

6. The Land Acquisition Collector (for short, "the LAC") passed an award, dated 21.12.2004, as under :

- i. For plain area @ Rs.4,00,000/- per acre.
- ii. Depreciation upto 2½ feet @ Rs.3,00,000/- per acre.
- iii. Depression upto 5 feet @ Rs.2,50,000/- per acre.

7. Dissatisfied with the award passed by the LAC, the land owners sought for a reference under Section 18 of the Act before the District Judge, Karnal. After recording the evidence and considering the material on record, the Additional District Judge awarded compensation to the claimants @ Rs.439/- per square yard along with other statutory benefits, vide order dated 11.05.2009.

8. Aggrieved by the same, the claimants filed Regular First Appeals before the High Court seeking enhancement of compensation.

9. It would be pertinent to note that some of the claimants had filed Special Leave Petitions in this Court against the final judgment and order, dated 05.10.2007, passed by the High Court of Punjab and Haryana at

Chandigarh in R.F.A. No.390 of 1988 titled as *Subhash Chander & Ors. vs. State of Haryana & Anr.* This Court vide the aforesaid decision, dated 19.02.2013, in Civil Appeal No.2187 of 2013 has allowed the claimant's prayer for enhancement of the compensation. This Court, then, remanded the matter back to the Reference Court with certain directions.

10. The High Court, as stated above, has dismissed the appeals filed by the claimants-appellants herein by the impugned common judgment(s) and order(s), dated 27.03.2014.

11. We have heard learned counsel for the parties to the *lis* and carefully perused the records.

12. In the peculiar facts and circumstances of these cases, we are of the considered opinion that the amount awarded by the Reference Court be enhanced to Rs.500/- per square yard with all other statutory benefits from the date of the order passed by the High Court.

13. The appeals are allowed to the extent indicated above. No order as to costs.

Ordered accordingly.

.....CJI.
(H.L. DATTU)

.....J.
(S.A. BOBDE)

.....J.
(ARUN MISHRA)

NEW DELHI;
APRIL 22, 2015.

ITEM NO.2

COURT NO.1

SECTION IVB

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 (C) No(s).
18007-18021/2014

(Arising out of impugned final judgment and order dated 27/03/2014 in RFA No. 490/2010,27/03/2014 in RFA No. 492/2010,27/03/2014 in RFA No. 3486/2011,27/03/2014 in RFA No. 5231/2009,27/03/2014 in RFA No. 4133/2009,27/03/2014 in RFA No. 3318/2010,27/03/2014 in RFA No. 5055/2009,27/03/2014 in RFA No. 5057/2009,27/03/2014 in RFA No. 5058/2009,27/03/2014 in RFA No. 5059/2009,27/03/2014 in RFA No. 4110/2010,27/03/2014 in RFA No. 5054/2009,27/03/2014 in RFA No. 5056/2009,27/03/2014 in RFA No. 5060/2009,27/03/2014 in RFA No. 491/2010 passed by the High Court Of Punjab & Haryana at Chandigarh)

BALBIR SINGH @ BALBIR AND ORS AND ETC ETC

Petitioner(s)

VERSUS

STATE OF HARYANA AND ORS ETC ETC

Respondent(s)

(with office report)

WITH SLP(C) No. 24212/2014
(With Office Report)

SLP(C) No. 24353/2014
(With Office Report)

SLP(C) Nos. 26834-26840/2014
(With Office Report)

SLP(C) Nos. 36271-36295/2014
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C) No. 28210/2014
(With appln.(s) for c/delay in refiling SLP and Interim Relief and Office Report)

SLP(C) Nos. 30062-30068/2014
(With appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C) Nos. 28812-28814/2014
(With appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C) No. 33041/2014
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C) No. 34190/2014
(With Office Report)

SLP(C) Nos. 28897-28898/2014
(With appln.(s) for c/delay in refiling SLP and Office Report)

SLP(C) No. 1098/2015
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C) No. 9706/2015
(With Office Report)

SLP(C) No. 6723/2015
(With Office Report)

SLP(C) No. 7793/2015
(With Office Report)

SLP(C) No. 7223/2015
(With Office Report)

SLP(C) No. 9113/2015
(With Office Report)

SLP(C) No. 28258/2014
(With Office Report)

SLP(C) No. 11557/2015
(With Office Report)

Date : 22/04/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.A. BOBDE
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Dr. J. P. Dhanda, Adv.
Mr.N.A.Usmani, Adv.
Mr.Amrendra Kr.Singh, Adv.

Mr.Rahul Singh Chauhan, Adv.
Mr.Jitender Singh, Adv.
Mr.N.K.Chauhan, Adv.
Mr.Abhik Kumar, Adv.
For Mr. Praveen Swarup, Adv.

Mr.Rajesh Sharma, Adv.
 Ms. Shalu Sharma,Adv.
 Mr.Nitin Kumar, Adv.
 Ms.Nidhi Singh Dubey, Adv.

Mr.Neeraj Kumar Jain,Sr.Adv.
 Mr.Sanjay Singh, Adv.
 Mr.Ankit Jain, Adv.
 Mr. Ugra Shankar Prasad,Adv.

Mr.Kartar singh, Adv.
 For Mr. R. C. Kaushik,Adv.

Mr.Karan Kapoor, Adv.
 Mr.Manik Kapoor, Adv.
 Mr. Akshat Goel,Adv.

Mr.Akshat Goel, Adv.

Mr.Kartar Singh, Adv.
 For Dr. Kailash Chand,Adv.

Mr.Dinesh Verma, Adv.
 Mr.Rajat Sharma, Adv.
 Mr. Subhasish Bhowmick,Adv.

Mr. Ravindra Keshavrao Adsure,Adv.

Mr. Yadav Narender Singh,Adv.

Mr.Kushagra Pandit, Adv.
 Mr.Rajat Navet, Adv.
 Mr. Pradeep Kumar Bakshi,Adv.

Mr.Anand Mishra, Adv.
 Dr. (mrs.) Vipin Gupta,Adv.

For Respondent(s)2 Mr.Govind Goel, Adv.
 In SLP(C)No.24212/2014 Mr.Sanjay Kr.Yadav, Adv.
 Mr.Ankit Goel, Adv.
 Dr.Kailash Chand, Adv.

Mr. Ravindra Keshavrao Adsure,Adv.

Dr.Monika Gusain, Adv.
 Mr. Rajeev Kr. Singh,Adv.

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

1. Leave granted.
2. Delay, if any, in filing/ refiling the Special Leave Petition(s) and application for substitution is/are condoned.
3. Application(s) for substitution, if any, is/are allowed.
4. The appeals are allowed to the extent indicated in the order with no order as to costs, in terms of the signed order.

(G.V.Ramana)

AR-cum-PS

(Signed order is placed on the file)

(Vinod Kulvi)

Asstt.Registrar