

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 6301-03 OF 2015
(Arising out of S.L.P. (C) Nos.12648-12650 of 2013)

DARSHAN SINGH & ORS. ETC. ..APPELLANT(S)

VERSUS

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

WITH

CIVIL APPEAL NO. 6304 OF 2015
(Arising out of S.L.P. (C)NO.23646 of 2013)

CIVIL APPEAL NO. 6305 OF 2015
(Arising out of S.L.P. (C)NO.13679 of 2013)

CIVIL APPEAL NOS.6306-08 OF 2015
(Arising out of S.L.P. (C)NOS.23649-23651 of 2013)

CIVIL APPEAL NOS.6309-12 OF 2015
(Arising out of S.L.P. (C)NOS.26952-26955 of 2013)

CIVIL APPEAL NO.6313 OF 2015
(Arising out of S.L.P. (C)NO.27782 of 2014)

AND
WITH

CIVIL APPEAL NO. 6314 OF 2015
(Arising out of S.L.P. (C)NO.11867 of 2014)

O R D E R

1. Delay, if any, in filing the application for

substitution is condoned.

2. Application for substitution, if any, is allowed.

3. Delay, if any, in filing and re-filing the Special Leave Petitions is condoned.

4. Application for deletion of proforma respondents is allowed. Cause title be amended accordingly.

5. Leave granted.

6. These appeals are directed against the judgment and order passed by the High Court of Punjab and Haryana at Chandigarh in Regular First Appeal Nos.1247, 1249, 1250 of 2011 (O&M) and other similar appeals, dated 01.05.2012, whereby the High Court has disposed off the appeals in view of the judgment and order passed by the High Court in R.F.A No.1714 OF 2009.

7. For convenient disposal of the matters, we would only notice the facts in Civil Appeal @ S.L.P. Nos.12648-12650 of 2013).

Civil Appeal Nos. 6301-03 of 2015
(@S.L.P. (C) Nos.12648-12650 of 2013)

8. The brief facts are: the respondent-State had issued Notification No.7491/268/WK/BML, dated 18.08.2005 under Section 4 of the Land Acquisition Act, 1894 (for short, "the Act") to acquire 25.75 acres of land in village Mehmudpur, Tehsil Guhla, District Kaithal, Haryana for construction of BML Hansi Butana Multipurpose Link Channel. Thereafter, the notification under Section 6 of the Act was issued, dated 13.09.2005.

9. The Land Acquisition Collector (for short, "the LAC") by award dated 03.01.2006 had determined the compensation payable for the acquired lands at Rs.5,00,000/- per acre.

10. The appellants/claimants, not being satisfied with the compensation so awarded by the LAC, approached the LAC and sought for a reference under Section 18 of the Act to the Reference Court for determination of the actual market value of the land acquired by the State Government. The LAC had referred the case of the appellants/claimants to the Reference Court.

11. The Reference Court assessed the market value of the acquired land at Rs.8,10,000/- per acre.

12. Dissatisfied with the compensation awarded by the Reference Court, the appellants/ claimants had preferred Regular First Appeals before the High Court. The High Court, disposed off the appeals in view of the judgment and order passed by the High Court in R.F.A No.1714 OF 2009, dated 01.05.2012 whereby the High Court upheld the compensation awarded by the Reference Court.

13. Aggrieved by the order so passed by the High Court, the appellants are before us in these appeals.

14. We have heard learned counsel for the parties to the *lis* and also carefully perused the documents on record. After going through the same and in view of the peculiar facts and circumstances of the case, we are of the considered opinion that the amount of compensation as awarded by the High Court be further enhanced by a sum of Rs.1,00,000/- per acre.

15. In view of the above, we allow these appeals and modify the judgment and order passed by the High Court.

The appellants/claimants are now entitled for an enhanced amount of Rs.1,00,000/- over and above the compensation so awarded by the Reference Court with all statutory benefits on the enhanced amount from the date of the order passed by the High Court.

16. We may clarify that this order is applicable *qua* the appellants-herein only.

REST OF THE MATTERS

17. In view of the disposal of Civil Appeal @ S.L.P. (C) Nos.12648-12650 of 2013, rest of the matters are also disposed of on the same terms, conditions, observations and directions.

Ordered accordingly.

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

.....J.
(PINAKI CHANDRA GHOSE)

.....J.
(ABHAY MANOHAR SAPRE)

NEW DELHI,
AUGUST 12, 2015.

ITEM NO.6

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 SPetition(s) for Special Leave to Appeal (C) No(s).
12648-12650/2013

(Arising out of impugned final judgment and order dated 01/05/2012 in RFA No. 1247/2011, 01/05/2012 in RFA No. 1249/2011, 01/05/2012 in RFA No. 1250/2011 passed by the High Court Of Punjab & Haryana at Chandigarh)

DARSHAN SINGH & ORS. ETC.

Petitioner(s)

VERSUS

STATE OF HARYANA & ORS.

Respondent(s)

(With appln.(s) for deletion of proforma respondents and interim relief and office report)

WITH SLP(C) No. 32640/2013

(With appln.(s) for c/delay in refiling SLP and appln.(s) for c/delay in filing SLP and Office Report)

SLP(C) No. 23646/2013

(With Office Report)

SLP(C) No. 13679/2013

(With Office Report)

SLP(C) No. 23649-23651/2013

(With Office Report)

SLP(C) No. 26952-26955/2013

(With Office Report)

SLP(C) No. 27782/2014

(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C) No. 11867/2014

(With Office Report)

Date : 12/08/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s) Mr. Shish Pal Laler, Adv.
Mr. Sonit Sinhmar, Adv.
Mr. Balbir Singh Gupta, Adv.
Mr. Nitin Kumar Thakur, Adv.

Mr. D. K. Thakur, Adv.
Mr. Devendra Jha, Adv.
Mr. Debasis Misra, Adv.

Mr. Naveen Kr. Chauhan, Adv.
Mr. Rahul Singh Chauhan, Adv.
Mr. Abhik Kumar, Adv.
Mr. Praveen Swarup, Adv.

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

For Respondent(s) Mr. Shish Pal Laler, Adv.
Mr. Sonit Sinhmar, Adv.
Mr. Nitin Kumar Thakur, Adv.

Mr. Manoj Sheoran, Adv.
Mr. Kamal Mohan Gupta, Adv.

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

SLP(C) No. 32640/2013:

De-link and list separately.

Rest of the matters:

Delay, if any, in filing the application for substitution is condoned.

Application for substitution, if any, is allowed.

Delay, if any, in filing and re-filing the Special Leave Petitions is condoned.

Application for deletion of proforma respondents is allowed. Cause title be amended accordingly.

Leave granted.

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

(G.V.Ramana)
AR-cum-PS

(Vinod Kulvi)
Asstt.Registrar

(Signed order is placed on the file)