

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2022
(Arising from SLP(C) No. OF 2022
@ Diary No. 35698/2022)

DHARAM CHAND SINCE DECEASED THROUGH LRS ...Appellant(s)

Versus

STATE OF HARYANA & ORS. ...Respondent(s)

O R D E R

Delay condoned.

Issue notice.

Dr. Monika Gusain, learned counsel accepts notice on behalf of the State of Haryana, on the request made by the Court and Shri Nirnimesh Dube, learned counsel accepts notice on behalf of Jhajjar Thermal Power Plant, who can be said to be the contesting respondent. Therefore, notice is not required to be issued to the other respondents.

Leave granted.

Having heard learned counsel appearing on behalf of the respective parties and considering the fact that with respect to the very acquisition and notification dated 09.04.2007 issued under Section 4 of the Land Acquisition Act, 1894, this Court recently has modified the impugned common judgment and order passed by the High Court and has enhanced the amount of compensation to Rs.22,00,000/- per acre along with other statutory benefits including the interest which may be

contd..

available under the provisions of the Land Acquisition Act, 1894, the impugned judgment and order passed by the High Court is required to be modified accordingly. In paragraph 10 in the case of Jaspal Singh and others Vs. The State of Haryana and others in Civil Appeal Nos.7516-7521 of 2022 decided on 20.10.2022, it is observed and held as under -

"10. In view of the above and for the reasons stated above, the present appeals succeed. The impugned common judgment and order passed by the High Court is hereby modified and it is observed and directed that the landowners whose lands have been acquired for Jhajjar Thermal Power Plant shall be entitled to compensation at the rate of Rs. 22,00,000/- per acre. The landowners shall also be entitled to all the statutory benefits including interest which may be available under the Act, 1894. However, it is observed and directed that so far as the landowners in the appeals arising out of RFA Nos. 4322/2016, 4682/2016, 804/2017 and 805/2017 are concerned, they shall not be entitled to any interest on the enhanced amount of compensation for the period of delay in filing/refiling the appeals before the High Court."

In view of the above and for the reasons stated hereinabove, the present appeal is allowed in terms of the judgment and order passed in Jaspal Singh and others (supra). The impugned judgment and order passed by the High Court is hereby modified to the aforesaid extent.

The Appeal is partly allowed to the aforesaid extent. No costs.

..... J.
(M.R. SHAH)

..... J.
(S. RAVINDRA BHAT)

New Delhi;
December 09, 2022.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 35698/2022

(Arising out of impugned final judgment and order dated 21-03-2022 in RFA No. 7818/2013 passed by the High Court Of Punjab & Haryana At Chandigarh)

DHARAM CHAND SINCE DECEASED THROUGH LRS

Petitioner(s)

VERSUS

STATE OF HARYANA & ORS.

Respondent(s)

(IA No.179675/2022-CONDONATION OF DELAY IN FILING)

Date : 09-12-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Mr. Rakesh Dahiya, AOR
Mr. Satyavan Kudalwal, Adv.
Mr. Aditya Dahiya, Adv.

For Respondent(s) Dr. Monika Gusain, Adv.

Mr. Nirnimesh Dube, Adv.
Mr. Ankur S. Kulkarni, Adv.
Mr. Susheel Joseph Cyriac, Adv.
Ms. Sonia Dube, Adv.
Ms. Uditha Chakravarthy, Adv.
Ms. Priyanka Choudhary, Adv.
M/S. Lex Regis Law Offices, AOR

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

Delay condoned.

Issue notice.

Dr. Monika Gusain, learned counsel accepts notice on behalf of the State of Haryana, on the request made by the Court and Shri Nirnimesh Dube, learned counsel accepts notice on behalf of Jhajjar Thermal Power Plant, who can be said to be the contesting respondent. Therefore, notice is not required to be issued to the other respondents.

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Leave granted.

The Appeal is partly allowed in terms of the signed order.

Pending applications shall stand disposed of.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR

(Signed order is placed on the file)