

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.11814-11864 OF 2017
(Arising out of SLP(C)Nos.8024-8074/2017)

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

VS.

RAM CHANDER & ANR.ETC. . . . RESPONDENT(S)

WITH

C.A.NOS.11362-11364/2017 @ SLP(C)NOS.32424-32426/2016
(RAM KUMAR @ RAM KANWAR & ORS.ETC. VS. STATE OF HARYANA & ORS.)

C.A.NOS.11375-11379/2017 @ SLP(C)NOS.7645-7649/2017
(GOBIND & ANR.ETC.ETC. VS. STATE OF HARYANA & ANR.ETC.)

C.A.NOS.11380-11382/2017 @ SLP(C)NOS.32084-32086/2017
(VIJAY KUMAR ETC.ETC. VS. STATE OF HARYANA & ORS.)

C.A.NOS.11384-11389/2017 @ SLP(C)NOS.32351-32356/2017
(NARESH KUMAR & ORS.ETC.ETC. VS. STATE OF HARYANA & ANR.)

C.A.NO.11390/2017 @ SLP(C)NO.16084/2017
(BIJENDER SINGH (D) THROUGH LRS. VS. STATE OF HARYANA & ORS.)

C.A.NOS.11391-11394/2017 @ SLP(C)NOS.12731-12734/2017
(BIRBAL & ORS.ETC.ETC. Vs. STATE OF HARYANA & ANR.ETC.ETC.)

C.A.NOS.11395-11398/2017 @ SLP(C)NOS.12262-12265/2017
(DHANPATI & ANR.ETC.ETC. Vs. STATE OF HARYANA & ANR.ETC.ETC.)

C.A.NOS.11399-11402/2017 @ SLP(C)NOS.13073-13076/2017
(SUDARSHAN ETC.ETC. Vs. STATE OF HARYANA & ANR.ETC.ETC.)

**C.A.NOS.11403-11409/2017 @ SLP(C)NOS.13306-13312/2017
(PHOOL SINGH & ORS.ETC.ETC. Vs. STATE OF HARYANA & ANR.ETC.ETC.)**

**C.A.NOS.11410-11413/2017 @ SLP(C)NOS.32329-32332/2016
(JOGINDER & ORS.ETC.ETC. Vs. STATE OF HARYANA & ANR.ETC.ETC.)**

**C.A.NO.11414/2017 @ SLP(C)NO.32382/2016
(USHA RANI Vs. LAND AQUISITION COLLECTOR & ORS.)**

**C.A.NOS.11415-11423/2017 @ SLP(C)NOS.2554-2562/2017
(OM PRAKASH ETC.ETC. Vs. STATE OF HARYANA & ANR.ETC.ETC.)**

**C.A.NOS.11469-11473/2017 @ SLP(C)NOS.12669-12673/2017
(SUKHBIR & ORS.ETC.ETC. Vs. STATE OF HARYANA & ORS.ETC.ETC.)**

**C.A.NOS.11474-11476/2017 @ SLP(C)NOS.15262-15264/2017
(KISHNI DEVI & ORS.ETC.ETC. Vs. STATE OF HARYANA & ORS.ETC.ETC.)**

**C.A.NO.11477/2017 @ SLP(C)NO.2460/2017
(OM PARKASH & ORS. Vs. STATE OF HARYANA & ANR.)**

**C.A.NO.11478/2017 @ SLP(C)NO.32030/2016
(M/S. L.D. REAL ESTATE LLP Vs. LAND ACQUISITION COLLECTOR & ORS.)**

**C.A.NOS.11479-11482/2017 @ SLP(C)NOS.15218-15221/2017
(MANI JAIN ETC.ETC. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11485/2017 @ SLP(C)NO.30034/2016
(SUDHA UPADHAYAYA Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11486/2017 @ SLP(C)NO.13298/2017
(VINAY KUMAR SAPRA Vs. LAND ACQUISITION COLLECTOR & ORS.)**

**C.A.NO.11487/2017 @ SLP(C)NO.12237/2017
(VINAY KUMAR SAPRA Vs. LAND ACQUISITION COLLECTOR & ORS.)**

**C.A.NO.11492/2017 @ SLP(C)No.30479/2016
(DHRUV ARORA Vs. LAND ACQUISITION COLLECTOR & ORS.)**

**C.A.NO.11493/2017 @ SLP(C)NO.30506/2016
(SHIV OM VERMA Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.11494/2017 @ SLP(C)NO.30027/2016
(SUNITA BHAT Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NOS.11559-11560/2017 @ SLP(C)NO.33121-33122/2016
(BABU RAM GUPTA ETC.ETC. Vs. STATE OF HARYANA & ANR.)**

**C.A.NO.11569/2017 @ SLP(C)NO.30353/2016
(SUNIL BARUA Vs. LAND ACQUISITION COLLECTOR, GURGAON & ORS.)**

**C.A.NO.11570/2017 @ SLP(C)NO.30512/2016
(NIK VERMA Vs. LAND ACQUISITION COLLECTOR, URBAN
ESTATE GURGAON & ORS.)**

**C.A.NO.11571/2017 @ SLP(C)NO.30031/2016
(ASHISH KUMAR & ANR. Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.11572/2017 @ SLP(C)NO.30012/2016
(MASTAKEEM AHMED Vs. LAND ACQUISITION COLLECTOR, GURGAON & ORS.)**

**C.A.NO.11573/2017 @ SLP(C)NO.30611/2016
(LT.COL.AZAD SINGH DAGAR (RETD.) Vs. LAND ACQUISITION
COLLECTOR & ORS.)**

**C.A.NOS.11597-11600/2017 @ SLP(C)NOS.13302-13305/2017
(NATHU & ORS.ETC.ETC.Vs. STATE OF HARYANA & ANR.ETC.ETC.)**

**C.A.NOS.11601-11603/2017 @ SLP(C)NOS.16603-16605/2017
(MAHESH KUMAR ETC.ETC.Vs. STATE OF HARYANA & ORS.)**

**C.A.NOS.11623-11631/2017 @ SLP(C)NOS.10156-10164/2017
(NIRMAL DASS ETC. Vs. THE STATE OF HARYANA & ORS.ETC.)**

**C.A.NOS.11632-11633/2017 @ SLP(C)NOS.10752-10753/2017
(CHAMELI & ORS.ETC. Vs. LAND ACQUISITION COLLECTOR & ORS.ETC.)**

**C.A.NO.11635/2017 @ SLP(C)NO.12281/2017
(LALIT MOHAN JAIN & ORS. Vs. STATE OF HARYANA & ANR.)**

**C.A.NOS.11656-11658/2017 @ SLP(C)NOS.12932-12934/2017
(BIRBAL & ORS.ETC.ETC.Vs. STATE OF HARYANA & ANR.)**

**C.A.NOS.11669-11670/2017 @ SLP(C)NOS.12956-12957/2017
(UMED SINGH & ORS.ETC.Vs. STATE OF HARYANA & ANR.)**

**C.A.NOS.11671-11678/2017 @ SLP(C)NOS.12973-12980/2017
(CHANDGI & ORS.ETC.ETC. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11694/2017 @ SLP(C) NO.12225/2017
(M/S AIRLIGHT ELECTRONICS PVT.LTD.Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11730/2017 @ SLP(C)NO.32256/2016
(DHARAMPAL KATARIA (DEAD) THR LRS. & ORS. Vs.
THE STATE OF HARYANA & ORS.)**

**C.A.NOS.11731-11732/2017 @ SLP(C)NOS.12925-12926/2017
(MAHENDER SINGH & ANR. ETC.Vs. STATE OF HARYANA & ANR.)**

**C.A.NOS.11733-11742/2017 @ SLP(C)NOS.16588-16597/2017
(DHARAMBIR & ANR.ETC.Vs. STATE OF HARYANA & ANR.ETC.)**

**C.A.NOS.11761-11805/2017 @ SLP(C)NOS.13315-13359/2017
(RAM CHANDER & ANR.ETC.ETC.Vs. STATE OF HARYANA & ORS.ETC.ETC.)**

**C.A.NOS.11806-11807/2017 @ SLP(C)NOS.12928-12929/2017
(MAHENDER SINGH ETC.ETC.Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11808/2017 @ SLP(C)NO.13295/2017
(KISHAN PAL & ORS.Vs. LAND ACQUISITION COLLECTOR, GURGAON & ORS.)**

**C.A.NOS.11809-11810/2017 @ SLP(C)NOS.12755-12756/2017
(VIKRAM SINGH ETC.ETC.Vs. STATE OF HARYANA & ANR.ETC.ETC.)**

**C.A.NOS.11811-11813/2017 @ SLP(C)NOS.35314-35316/2016
(KESAR & ORS.ETC.ETC.Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11865/2017 @ SLP(C)NO.10242/2017
(RUBY SHARMA Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.11866-11867/2017 @ SLP(C)NOS.33156-33157/2016/2016
(RAJ SINGH & ORS.ETC.ETC.Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11885/2017 @ SLP(C)NO.13071/2017
(RENU BINDAL Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.11886/2017 @ SLP(C)NO.12256/2017
(M/S. THE HI-TECH GEARS LTD. Vs. STATE OF HARYANA & ANR.)**

**C.A.NO.11888/2017 @ SLP(C)NO.13439/2017
(KARAMBIR SINGH & ORS. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11891/2017 @ SLP(C)NO.8090/2017
(BRAHAM PRAKASH s. THE STATE OF HARYANA THROUGH COLLECTOR & ANR.)**

**C.A.NO.11892/2017 @ SLP(C)NO.8127/2017
(SANTOSH DEVI Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.11893/2017 @ SLP(C)NO.12253/2017
(KUSUM SHARMA Vs. STATE OF HARYANA & ORS.)**

**C.A.NOS.11894-11895/2017 @ SLP(C)NOS.34921-34922/2016
(PHOOL SINGH ETC. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11899-11900/2017 @ SLP(C)NOS.35762-35763/2016
(RAM PRAKASH & ORS.ETC.Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11901/2017 @ SLP(C)NO.2449/2017
(OMWATI (D) THR. LRS. Vs. STATE OF HARYANA & ANR.)**

**C.A.NO.11902/2017 @ SLP(C)NO.13438/2017
(KHILLU RAM Vs. THE LAND ACQUISITION COLLECTOR & ORS.)**

**C.A.NO.11912/2017 @ SLP(C)NO.7625/2017
(RAMA RANI & ORS. Vs. THE STATE OF HARYANA & ANR.)**

**C.A.NO.11946/2017 @ SLP(C)NO.8077/2017
(M/S. BEDI ENTERPRISES Vs. STATE OF HARYANA & ANR.)**

**C.A.NO.11949/2017 @ SLP(C)NO.8078/2017
(HOSHIAR SINGH & ORS. Vs. STATE OF HARYANA & ANR.)**

**C.A.NOS.11950-11962/2017 @ SLP(C)NOS.7655-7667/2017
(RAM CHANDER (D) THR.LRS.& ORS.Vs. STATE OF HARYANA & ORS.ETC.ETC.)**

**C.A.NOS.11971-11973/2017 @ SLP(C)NOS.10420-10422/2017
(NIRMAL DASS ETC.ETC.Vs. STATE OF HARYANA & ANR.ETC.ETC.)**

**C.A.NO.12015/2017 @ SLP(C)NO.10812/2017
(RAM NATH Vs. STATE OF HARYANA & ANR.)**

**C.A.NO.12017/2017 @ SLP(C)NO.8222/2017
(KARAMBIR & ORS. Vs. STATE OF HARYANA & ORS.)**

**C.A.NOS.12773-12775/2017 @ SLP(C)NOS.24464-24466/2017
@ D.NO.6038/2017
(JAI BHAGWAN MANGLA ETC.ETC.Vs. STATE OF HARYANA & ANR.ETC.ETC.)**

**C.A.NOS.12825-12826/2017 @ SLP(C)NOS.24518-24519/2017
@ D.NO.8385/2017
(M/S. ALLIANCE STEELS ETC. Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NOS.12026-12031/2017 @ SLP(C)NOS.10256-10261/2017
(PARVEEN KATARIA & ORS.ETC.ETC. Vs. STATE OF HARYANA &
ORS.ETC.ETC.)**

**C.A.NO.12827/2017 @ SLP(C)NO.24525/2017 @ D.NO.9507/2017
(DRUZBA OVERSEAS PVT.LTD. Vs. THE STATE OF HARYANA & ANR.)**

**C.A.NO.12033/2017 @ SLP(C)NO.13519/2017
(SARASWATI KUNJ INFRASTRUCTURE PVT.LTD., NEW DELHI VS.
STATE OF HARYANA & ORS.)**

**C.A.NO.12034/2017 @ SLP(C)NO.14706/2017
(SUKHBIR SINGH & ORS. Vs. STATE OF HARYANA & ANR.)**

**C.A.NOS.13831-13934/2017 @ SLP(C)NO.24829-24932/2017
@ D.NO.11111/2017
(STATE OF HARYANA & ANR. ETC. VS. RAM KISHAN & ANR. ETC.)**

**C.A.NO.12039/2017 @ SLP(C)NO.18173/2017
(RITA RANI & ANR.Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.12040/2017 @ SLP(C)NO.19536/2017
(SANJAY & ORS. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.12041/2017 @ SLP(C)NO.21477/2017
(M/S. SATYAM AGRO INDUSTRIES Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.12043/2017 @ SLP(C)NO.21240/2017
(HAKAM SINGH & ANR. Vs. STATE OF HARYANA & ORS.)**

AND

**C.A.NO.14996/2017 @ SLP(C)NO.15367/2017
(FUTURISTIC BUILTECH PVT. LTD. VS. THE STATE OF HARYANA & ANR.)**

AND

**C.A.NO.15015/2017 @ SLP(C)NO.20072/2017 @ D.NO.14074/2017
(MOTI SAGAR & ORS. VS. STATE OF HARYANA & ORS.)**

O R D E R

- 1. Heard learned counsel for the parties.**
- 2. C.A.NO.15015/2017 @ SLP(C) NO.20072/2017 @
D.NO.14074/2017 is taken on board.**
- 3. Permission to file SLP is granted.**
- 4. Applications for deletion of proforma respondents,
condonation of delay in filing substitution application,
substitution, transposition are allowed.**

5. Leave granted.

6. Delay condoned.

7. These are the appeals preferred against a common judgment passed by the High Court. The acquisition had taken place by the issuance of separate notifications under Section 4 of the Land Acquisition Act, 1894 (in short 'the Act') on 25.1.2008. The lands are situated in 11 different villages. A table is given below, depicting the area of land acquired and the amount of compensation awarded by the Land Acquisition Collector, the Reference Court, and the High Court:

Sl.No.	Village	Land measuring in acres	LAC AWARD	Amount decided by reference court	Amount decided by the High Court
1	GURGAON	51.10	Rs.90 Lacs	Rs.1,64,75,000 CR	Rs.3,05,01,680 CR
2	CHOMA		Rs.60 lacs	Rs.1,84,00,000 CR	Rs.4,78,05,588 CR
3	PAWALA KHUSRUPUR	48.23	Rs.60 lacs	Rs.1,41,37,575 CR	Rs.4,65,52,331 CR
4	BASAI	18.20	Rs.60 lacs	Rs.1,75,00,000 CR	Rs.2,50,00,000 CR
5	KHERKI MAJRA DHANKOT	67.07	Rs.60 lacs	Rs.1,26,00,000 CR	Rs.2,80,00,000 CR
6	DHANVAPUR	34.81	Rs.60 lacs	Rs.1,53,00,000 CR	Rs.3,00,00,000 CR
7	TEEKAMPUR	15.28	Rs.60 lacs	Rs.91,87,000 LACS	Rs.1,81,58,768
8	HARSARU	88.54	Rs.50 lacs	Rs.50,00,000 LACS	Rs.1,20,14,000

9	SIHI	72.19	Rs.60 lacs	Rs.1,51,71,800	Rs.5,09,26,672
10	KHERKI DAULA	27.43	Rs.60 lacs	Rs.1,02,00,000	Rs.1,92,30,400
11	GARAULI KALAN	18.53	Rs.50 lacs	Rs.1,21,18,503	Rs.2,03,71,678

8. The main question urged by the learned counsel appearing on behalf of the parties is that no deduction has been made by the High Court and certain sale deeds have been excluded on the ground that they were for the lesser amount than determined by the Land Acquisition Collector and ratio prescribed by the Collector for the area in question, by virtue of applying the provisions of Section 25 of the Act. It was urged on behalf of the State that the exclusion of sale deeds cannot be said to be proper. Whereas it was contended on behalf of the claimants, who have come up for enhancement of compensation by filing appeals, that the High Court was fully justified in not deducting any land towards the development. The exemplars which have been taken into consideration respectively at Exhibits P.9 and P.16, are for a larger chunk of land, i.e., one acre and 1.6 acres approximately. Thus, the High Court is justified in not making any deduction, as a lot of development has taken place around the acquired land, which is situated between Gurgaon (Now Gurugram) and Dwarka township of New Delhi.

9. We are convinced that the land had immense potentiality and development has also taken place in the nearby area. However, at the same time, we are constrained to observe that the High Court could not have discarded the sale deeds for the lesser amount on the ground that they were excluded by operation of Section 25 of the Act. No doubt that the compensation determined by the Land Acquisition Collector could not be reduced by Reference Court, in view of the provisions of Section 25 of the Act. However, at the same time, the sale deeds are required to be taken into consideration and thereafter considered decision has to be rendered, proper reasons are to be assigned for not accepting the sale deeds though the Court cannot reduce compensation. It would not mean that sale deeds are to be wholly excluded as to adjudge the value of the land. In these cases, there are certain exemplars, which are of much higher value than the one taken into consideration by the High Court, but they belong to smaller plots. Thus, the sale deeds which have been ignored, so long as they are for very small plots, whereas the valuation was more than 3-4 times as determined by the High Court. The High Court was right in excluding the said sale deeds which were of smaller plots but at the same time, the sale deeds, which are for larger area, are taken into consideration, which appears to reflect the proper valuation of the area in question at the relevant point of time, so as to determine

the valuation therefrom. We find the valuation arrived at by the High Court to be acceptable. At the same time, the High Court has erred in not deducting the amount, which was required to be reduced towards the development.

10. In our opinion, the deduction of 15% towards development would have been sufficient, which ought to have been made in the instant cases, in the peculiar facts of the case, considering the potentiality of the area in question and the development which has taken place all around. This order not to be treated as a precedent in any other case. Thus, we modify the determination made by the High Court to the above extent only. Let deduction be made accordingly.

11. The appeals of State are allowed to the aforesaid extent and those filed by the owners are dismissed. Pending application, if any, also stands disposed of. Let the amount be paid within four months from today.

.....J.
[ARUN MISHRA]

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

New Delhi;
5th September 2017.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.11913-11945 OF 2017
(Arising out of SLP(C) NOS.8094-8126/2017)

STATE OF HARYANA & ANR.ETC.ETC. . . . APPELLANT(S)

VS.

PUSHPENDRA KUMAR & ORS.ETC.ETC. . . . RESPONDENT(S)

WITH

C.A.Nos.11424-11468/2017 @ SLP(C) Nos.2488-2532/2017
(DEVI SINGH ETC. ETC. Vs. STATE OF HARYANA & ORS.)

C.A.NOS.12769-12771/2017 @ SLP(C)NOS.24459-24461/2017
@ D.NO.28809/2016
(DHARAMBIR (DEAD) BY LRS.& ANR.ETC. Vs. STATE OF HARYANA & ORS.)

C.A.NO.12772/2017 @ SLP(C)No.24462/2017 @ D.NO.28810/2016
(MAM CHAND & ANR. Vs. THE STATE OF HARYANA & ORS.)

C.A.NOS.11483-11484/2017 @ SLP(C)NOS.11680-11681/2017
(JANAK RAJ & ANR.ETC. Vs. STATE OF HARYANA & ANR.ETC.)

C.A.NOS.11488-11489/2017 @ SLP(C)NOS.11737-11738/2017
(SHIVA PROFINS PVT. LTD. & ETC. Vs. STATE OF HARYANA & ORS.)

C.A.NOS.11490-11491/2017 @ SLP(C)NOS.33997-33998/2016
(ESTEEM TOWERS PVT. LTD ETC. Vs. STATE OF HARYANA & ORS.)

C.A.NOS.11495-11549/2017 @ SLP(C)NOS.8225-8279/2017
(LAKHMI CHAND & ORS.ETC.ETC. Vs. STATE OF HARYANA & ETC.ETC.)

C.A.NO.11550/2017 @ SLP(C)NO.28194/2016
(M/S.CRAZY LAND & HOUSING PVT.LTD.Vs.THE STATE OF HARYANA & ORS.)

C.A.NO.11551/2017 @ SLP(C)NO.28337/2016
(M/S.CRAZY LAND & HOUSING PVT.LTD.Vs.THE STATE OF HARYANA)

C.A.NO.11552/2017 @ SLP(C)NO.28133/2016
(M/S.ELEGANT LAND & HOUSING PVT.LTD.Vs.STATE OF HARYANA & ORS.)

**C.A.NO.11553/2017 @ SLP(C)NO.28593/2016
(M/S.OSCAR LAND & HOUSING PVT.LTD.Vs.THE STATE OF HARYANA & ORS.)**

**C.A.NO.11554/2017 @ SLP(C)NO.28197/2016
(SMT. RAM MURTI & ORS. Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NOS.11555-11556/2017 @ SLP(C)NOS.13364-13365/2017
(HANS RAJ & ANR. Vs. STATE OF HARYANA & ORS.)**

**C.A.NOS.11557-11558/2017 @ SLP(C)NOS.33796-33797/2016
(HANS RAJ & ANR.ETC.ETC. VS. STATE OF HARYANA & ANR.)**

**C.A.NO.11561/2017 @ SLP(C)NO.29942/2016
(KALU RAM & ANR. VS. THE STATE OF HARYANA & ORS.)**

**C.A.NO.11562/2017 @ SLP(C)NO.27889/2016
(M/S. VERTEX LAND & HOUSING PVT LTD. VS. STATE OF HARYANA & ANR.)**

**C.A.NO.11563/2017 @ SLP(C)NO.28068/2016
(M/S. BRIGHT BUILDETECH PVT.LTD. VS. STATE OF HARYANA)**

**C.A.NO.11564/2017 @ SLP(C)NO.28233/2016
(M/S. FORTUNE LAND & HOUSING PVT.LTD. VS. STATE OF HARYANA & ORS.)**

**C.A.NO.11565/2017 @ SLP(C)NO.28200/2016
(M/S. NEPTUNE LAND & HOUSING PVT.LTD. VS. STATE OF HARYANA & ORS.)**

**C.A.NO.11566/2017 @ SLP(C)NO.30046/2016
(M/S. ELEGENT LAND & HOUSING PVT.LTD. VS. STATE OF HARYANA & ORS.)**

**C.A.NO.11567/2017 @ SLP(C)NO.28243/2016
(M/S. RADHA ESTATES PVT.LTD. VS. STATE OF HARYANA & ORS.)**

**C.A.NO.11568/2017 @ SLP(C)NO.28654/2016
(M/S. LUSTURE INFRASTRUCTURE PVT LTD. VS. STATE OF HARYANA & ORS.)**

**C.A.NOS.11574-11596/2017 @ SLP(C)NOS.13405-13427/2017
(ANIL KUMAR & ORS.ETC.Vs. STATE OF HARYANA & ORS.ETC.)**

**C.A.NOS.11604-11606/2017 @ SLP(C)NOS.34371-34373/2017
(DESH RAJ ETC. ETC.Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11607/2017 @ SLP(C)NO.28146/2016
(M/S NEPTUNE LAND & HOUSING PVT.LTD.Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11608/2017 @ SLP(C)NO.7574/2017
(M/S DELIGHT PRODUCT PVT.LTD.Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.11609/2017 @ SLP(C)NO.28041/2016
(M/S.ORRIS LAND & BUILDING PVT.LTD. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11610/2017 @ SLP(C)NO.28919/2016
(AMIT GUPTA Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.11611/2017 @ SLP(C)NO.28170/2016
(MANJU Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11612/2017 @ SLP(C)NO.27916/2016
(M/S. BRIGHT BUILDTECH PVT.LTD. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11613/2017 @ SLP(C)NO.28748/2016
(M/S. MARLIN LAND & HOUSING PVT.LTD.Vs. THE STATE
OF HARYANA & ORS.)**

**C.A.NO.11614/2017 @ SLP(C)NO.28653/2016
(M/S.OSCAR LAND AND HOUSING PVT.LTD.Vs. THE STATE OF
HARYANA & ORS.)**

**C.A.NO.11615/2017 @ SLP(C)NO.28191/2016
(M/S. VERTEX LAND & HOUSING PVT.LTD. Vs. THE STATE OF HARYANA)**

**C.A.NO.11616/2017 @ SLP(C)NO.28016/2016
(M/S. FORTUNE LAND & HOUSING PVT.LTD. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11617/2017 @ SLP(C)NO.28172/2016
(M/S. RADHA ESTATE PVT.LTD. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11618/2017 @ SLP(C)NO.7575/2017
(AMIT GUPTA Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11619/2017 @ SLP(C)NO.7571/2017
(M/S. LUSTURE INFRASTRUCTURE PVT.LTD.Vs.THE
STATE OF HARYANA & ORS.)**

**C.A.NO.11620/2017 @ SLP(C)NO.28047/2016
(M/S. SALMON LAND & HOUSING PVT.LTD. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11621/2017 @ SLP(C)NO.28246/2016
(M/S. INCENSE PROPERTIES PVT.LTD. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11622/2017 @ SLP(C)NO.28914/2016
(M/S. ACME BUILDWELL PVT.LTD. Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NOS.11636-11652/2017 @ SLP(C)NOS.12986-13002/2017
(MAHAVIR SINGH ETC.ETC. Vs. STATE OF HARYANA & ANR.ETC.ETC.)**

**C.A.NO.11653/2017 @ SLP(C)NO.12282/2017
(SMT. OMWATI & ANR. Vs. STATE OF HARYANA & ANR.)**

**C.A.NO.11654/2017 @ SLP(C)NO.12255/2017
(LILU RAM AND ORS. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11655/2017 @ SLP(C)NO.12280/2017
(HOSHIAR & ORS.Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NOS.11659-11663/2017 @ SLP(C)NOS.30641-30645/2016
(DAYA NAND @ DAYA CHAND ETC. Vs. STATE OF HARYANA & ORS.ETC.)**

**C.A.NOS.11664-11668/2017 @ SLP(C)NOS.7639-7643/2016
(JAGMAL ETC.Vs. STATE OF HARYANA & ANR.ETC.)**

**C.A.NOS.11679-11692/2017 @ SLP(C)NOS.13270-13283/2017
(DHARAM SINGH ETC.ETC.Vs. STATE OF HARYANA & ORS.ETC.ETC.)**

**C.A.NO.11728/2017 @ SLP(C)NO.7776/2017
(JITENDER JAIN Vs. THE STATE OF HARYANA & ANR.)**

**C.A.NO.11729/2017 @ SLP(C)NO.12235/2017
(SATISH PARAKH Vs. STATE OF HARYANA & ANR.)**

**C.A.NOS.11743-11760/2017 @ SLP(C)NOS.15180-15197/2017
(SAJJAN SINGH & ANR.ETC.Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11868/2017 @ SLP(C)NO.12284/2017
(HOSHIAR SINGH & ANR.VS. STATE OF HARYANA & ANR.)**

**C.A.NO.11869/2017 @ SLP(C)NO.12276/2016
(RAMESH (D) THR.LRS. KAUSHALYA & ORS.Vs. THE
STATE OF HARYANA & ORS.)**

**C.A.NO.11870/2017 @ SLP(C)NO.12674/2017
(VED PARKASH & ORS.Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.11871/2017 @ SLP(C)NO.12266/2017
(KHUSHI RAM & ANR.Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11872/2017 @ SLP(C)NO.12254/2017
(GANGA RAM Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.11873/2017 @ SLP(C)NO.12227/2017
(RAI SINGH & ORS.Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.11874/2017 @ SLP(C)NO.12279/2017
(DULI CHAND Vs. STATE OF HARYANA & ORS.)**

**C.A.NOS.11875-11883/2017 @ SLP(C)NOS.12267-12275/2017
(TARA CHAND & ORS.ETC.ETC. Vs. STATE OF HARYANA & ORS.ETC.ETC.)**

**C.A.NO.11884/2017 @ SLP(C)NO.12232/2017
(RAI SINGH & ORS. Vs. STATE OF HARYANA & ORS.)**

**C.A.NOS.11889-11890/2017 @ SLP(C)NOS.12258-12259/2017
(SHISH RAM @ SHISH RAM (D) THROUGH LRS.& ORS.ETC.Vs.
STATE OF HARYANA & ORS.ETC.)**

**C.A.NO.11896-11897/2017 @ SLP(C)NOS.2708-2709/2017
(RAMPHAL ETC. Vs. STATE OF HARYANA & ORS. ETC.)**

**C.A.NO.11898/2017 @ SLP(C)NO.36117/2016
(NAVEEN & ANR. Vs. STATE OF HARYANA & ORS.)**

**C.A.NOS.11903-11906/2017 @ SLP(C)NOS.12676-12679/2017
(SHIV NARAIN & ANR. ETC.ETC. Vs. STATE OF HARYANA & ORS.)**

**C.A.NOS.11907-11910/2017 @ SLP(C)NOS.12228-12231/2017
(RAM SINGH ETC.ETC.Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.11911/2017 @ SLP(C)NO.12252/2017
(KAUSHYALA Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.11947/2017 @ SLP(C)NO.2649/2017
(CHANDER SAIN Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.11948/2017 @ SLP(C)NO.2707/2017
(RAJPAL Vs. STATE OF HARYANA & ANR.)**

**C.A.NOS.11964-11968/2017 @ SLP(C)NOS.7633-7637/2017
(SATYA PAL & ANR.ETC.ETC. Vs. STATE OF HARYANA & ANR.ETC.)**

**C.A.NOS.11969-11970/2017 @ SLP(C)NOS.10764-10765/2017
(RATI RAM (D) THR.LRS.& ORS.ETC. Vs. STATE OF HARYANA & ORS.)**

**C.A.NOS.11974-12013/2017 @ SLP(C)NOS.15408-15447/2017
(SATDEV & ORS.ETC.ETC. Vs. STATE OF HARYANA & ORS.ETC.ETC.)**

**C.A.NO.12014/2017 @ SLP(C)NO.10811/2017
(RAM MEHAR (D) THR.LRS.Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.12016/2017 @ SLP(C)NO.10188/2017
(SAMAY SINGH & ORS.Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NOS.12018-12019/2017 @ SLP(C)NOS.10154-10155/2017
(MAHABIR @ MAHAVIR (D) THR.LRS. & ORS. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.12020/2017 @ SLP(C)NO.11645/2017
(DHARAMBIR & ORS. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.12021/2017 @ SLP(C)NO.15266/2017
(RAM KANWAR & ANR. Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NOS.12022-12023/2017 @ SLP(C)NOS.9005-9006/2017
(RICHHPAL (D) THR.LRS.& ORS.ETC.ETC.Vs. THE STATE OF
HARYANA & ORS.)**

**C.A.NO.12024/2017 @ SLP(C)NO.13036/2017
(HARDAWARI Vs. THE STATE OF HARYANA THR. COLLECTOR & ORS.)**

**C.A.NO.12025/2017 @ SLP(C)NO.11615/2017
(JAGMAL & ORS. Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.12032/2017 @ SLP(C)NO.9936/2017
(RAM NATH & ORS. Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.12768/2017 @ SLP(C)NO.24458/2017 @ D.NO.12177/2017
(SATBIR Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.12035/2017 @ SLP(C)NO.15112/2017
(OM PRAKASH & ANR.Vs. STATE OF HARYANA & ORS.)**

**C.A.NO.12037/2017 @ SLP(C)NO.16001/2017
(HOSHIAR & ORS. Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.12767/2017 @ SLP(C)NO.24449/2017 @ D.NO.17473/2017
(SAVITA Vs. THE STATE OF HARYANA & ANR.)**

**C.A.NO.12038/2017 @ SLP(C)NO.16753/2017
(RAM MEHAR Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.12042/2017 @ SLP(C)NO.21172/2017
(AKHLESH Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NO.12036/2017 @ SLP(C)NO.16612/2017
(SATBIR Vs. THE STATE OF HARYANA & ORS.)**

**C.A.NOS.12776-12824/2017 @ SLP(C)NOS.24468-24516/2017
@ CC.... NOS.8364-8412/2017
(ISHWAR ETC. VS. STATE OF HARYANA & ORS. ETC.)**

AND

**C.A.NOS.15000-15002/2017 @ SLP(C)NOS.12958-12960/2017
(D.NO.28807/2016) (RAJBIR & ANR.ETC. VS. STATE OF
HARYANA & ORS. ETC.)**

AND

**C.A.NOS.15018-15019/2017 @ SLP(C)NOS.25322-25323/2017
@ CC NOS.8156-8157/2017 @ D.NO.28808/2016
(RAM MEHAR (D) BY LRS. VS. STATE OF HARYANA)**

AND
C.A.NOS.14997-14998/2017 @ SLP(C)NOS.15104-15105/2017
(GIRDHARI & ORS.ETC.& ORS. VS. STATE OF HARYANA & ORS.ETC.)

O R D E R

1. Heard learned counsel for the parties.
2. C.A.NOS.15000-15002/2017 @ SLP(C)NOS.12958-12960/2017 (D.NO.28807/2016), C.A.Nos.15018-15019/2017 @ SLP(C)Nos. 25322-25323/2017 @ CC Nos.8156-8157/2017 @ D.No.28808/2016, C.A.No.11608/2017 @ SLP(C)No.7574/2017, C.A.No. 11618/2017 @ SLP(C)No.7575/2017, C.A.No.11619/2017 @ SLP(C)No.7571/2017 and C.A.NOS.14997-14998/2017 @ SLP(C)NOS.15104-15105/2017 are taken on board.
3. Permission to file SLP is granted.
4. Applications for deletion, application for condonation of delay in filing substitution, substitution, setting aside abatement and for the discharge of guardian are allowed.
5. Leave granted.
6. Delay condoned.
7. These are the appeals preferred against a common judgment passed by the High Court. The acquisition had taken place by the issuance of various notifications under Section 4 on 11.02.2010. The lands are situated in 13 different villages. A table is given below, depicting the

area of acquired land and the amount of compensation awarded by the Land Acquisition Collector, the Reference Court, and the High Court :

Sl.No.	Village	Land acquired	Value Assessed by LAC (Figures in Lacs)	Reference Court (Figures in Crores)	Hon'ble High Court (Figures in Crores)
1	HAYATPUR	143.56 Acres	60,00,000/- Per Acre	1,77,71,110 Per Acre	3,52,00,000 Per Acre
2	SHIKOHPUR	39.02 Acres	60,00,000/- Per Acre	12,10,70,693 Per Acre	16,89,35,120 Per Acre
3	SIKANDERPUR BADHA	45.92	60,00,000/- Per Acre	1,29,21,393 Per Acre	2,06,97,600 Per Acre
4	BADHA	126.89	60,00,000/- Per Acre	1,81,01,217 Per Acre	3,75,70,419 Per Acre
5	BHANGROLA		50,00,000/- Per Acre	88,25,208 Lacs Per Acre	1,81,44,000 Per Acre
6	KANKROLA	64.39 Acres	60,00,000/- Per Acre	1,06,48,000 Per Acre	2,24,97,003 Per Acre
7	NAKHROLA	23.075 Acres	60,00,000/- Per Acre	1,47,03,212 Per Acre	2,88,14,349 Per Acre
8	MEWKA	44.84 Acres	60,00,000/- Per Acre	1,23,95,226 Per Acre	2,54,06,080 Per Acre
9	DHORKA	64.39 Acres	60,00,000/- Per Acre	1,39,87,202 Per Acre	2,92,98,240 Per Acre
10	NAHARPUR KASAN	16.8875 Acres	38,00,000/- Per Acre	1,09,43,525 Per Acre	2,30,83,872 Per Acre
11	WAZIRPUR	45.77 Acres	45,00,000/- Per Acre	1,18,25,000 Per Acre	2,55,89,760 Per Acre
12	NAWADA FATEHPUR	82.48 Acres	60,00,000/- Per Acre	1,48,86,729 Per Acre	2,48,64,000 Per Acre

13	SIHI	32.98 Acres	60,00,000/- Per Acre	3,33,78,186 Per Acre	7,02,70,659 Per Acre
----	------	----------------	-------------------------	-------------------------	-------------------------

8. The main question urged by the learned counsel appearing on behalf of the parties is that no deduction has been made by the High Court and certain sale deeds have been excluded on the ground that they were for the lesser amount than determined by the Land Acquisition Collector and rate prescribed by the Collector for the area in question, by virtue of applying the provisions of Section 25 of the Act. It was urged on behalf of the State that the exclusion of sale deeds cannot be said to be proper. Whereas it was contended on behalf of the claimants, who have come up for enhancement of compensation by filing appeals, that the High Court was fully justified in not making deduction towards the development. The exemplars which have been taken into consideration respectively at Exhibits P.9 and P.16, are for a larger chunk of land, i.e., one acre and 1.6 acres approximately. Thus the High Court is justified in not making any deduction, as a lot of development has taken place around the acquired land, which is situated between Gurgaon (Now Gurugram) and Dwarka township of New Delhi.

9. We are convinced that the land had immense potentiality and development has also taken place in the nearby area. However, at the same time, we are constrained to observe

that the High Court could not have discarded the sale deeds for the lesser amount on the ground that they were excluded by operation of Section 25 of the Act. No doubt that the compensation determined by the Land Acquisition Collector could not be reduced by Reference Court, in view of the provisions of Section 25 of the Act. However, at the same time, the sale deeds are required to be taken into consideration and thereafter considered decision has to be rendered, proper reasons are to be assigned for not accepting the sale deeds though the Court cannot reduce compensation. It would not mean that sale deeds are to be wholly excluded as to adjudge the value of the land. In these cases, there are certain exemplars, which are of much higher value than the one taken into consideration by the High Court, but they belong to smaller plots. Thus, the sale deeds which have been ignored, related to very small plots, and the valuation was more than 3-4 times as determined by the High Court. The High Court was right in excluding the said sale deeds which were of smaller plots but at the same time, the sale deeds, which were for the larger area, were taken into consideration, which appears to reflect the proper valuation of the area in question at the relevant point of time. We find the valuation arrived at by the High Court to be acceptable. At the same time, the High Court has erred in not deducting the amount, which was required to be reduced towards the development.

10. In our opinion, the deduction of 15% towards development would have been sufficient, which ought to have been made in the instant cases, in the peculiar facts of the case, considering the potentiality of the area in question and the development which has taken place all around. This order not to be treated as a precedent in any other case. Thus, we modify the determination made by the High Court to the above extent only. Let deduction be made accordingly.

11. Coming to the question of severance charges, in case there is no land left out after the acquisition, obviously, severance charges would not be granted. It is in the cases where only part of the land has been acquired and there is a severance of the adjacent/remaining area, only in those cases compensation for severance is granted. It stands set aside in the cases where there is no severance.

12. The appeals of State are partly allowed and appeals of owners are dismissed. Pending application, if any, stands disposed of. Let the amount be paid within four months from today.

.....J.
[ARUN MISHRA]

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

New Delhi;
5th September 2017.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.11695-11727 OF 2017
(Arising out of SLP(C)Nos.12680-12712/2017)

STATE OF HARYANA & ANR.ETC.ETC. ... APPELLANT(S)

VS.

GOBIND & ANR.ETC.ETC. ... RESPONDENT(S)

WITH

C.A.NOS.11365-11374/2017 @ SLP(C)NOS.13383-13392/2017
(SAMENDER SINGH ETC.ETC. VS. STATE OF HARYANA & ANR.ETC.ETC.)

AND

C.A.NOS.14149-14156/2017 @ SLP(C)NOS.24933-24940/2017 @
CC 21657-21664/2016 (KUNDNA & ORS.ETC.ETC. VS. STATE
OF HARYANA & ORS.ETC.)

O R D E R

1. Heard learned counsel for the parties.
2. C.A.NOS.14149-14156/2017 @ SLP(C)NOS.24933-24940/
2017 @ CC.....21657-21664/2016 are taken on board.
3. Substitution allowed.
4. Leave granted.
5. Delay condoned.
6. These are the appeals preferred against a common
judgment passed by the High Court. The acquisition had
taken place by the issuance of various notifications under
Section 4 on 04.02.2008. The lands are situated in
different villages.

7. The main question urged by the learned counsel appearing on behalf of the parties is that no deduction has been made by the High Court and certain sale deeds have been excluded on the ground that they were for the lesser amount than determined by the Land Acquisition Collector and rate prescribed by the Collector for the area in question, by virtue of applying the provisions of Section 25 of the Act. It was urged on behalf of the State that the exclusion of sale deeds cannot be said to be proper. Whereas it was contended on behalf of the claimants, who have come up for enhancement of compensation by filing appeals, that the High Court was fully justified in not making deduction towards the development. The exemplars which have been taken into consideration respectively at Exhibits P.9 and P.16, are for a larger chunk of land, i.e., one acre and 1.6 acres approximately. Thus the High Court is justified in not making any deduction, as a lot of development has taken place around the acquired land, which is situated between Gurgaon (Now Gurugram) and Dwarka township of New Delhi.

8. We are convinced that the land had immense potentiality and development has also taken place in the nearby area. However, at the same time, we are constrained to observe that the High Court could not have discarded the sale deeds for the lesser amount on the ground that they were excluded by operation of Section 25 of the Act. No doubt that the

compensation determined by the Land Acquisition Collector could not be reduced by Reference Court, in view of the provisions of Section 25 of the Act. However, at the same time, the sale deeds are required to be taken into consideration and thereafter considered decision has to be rendered, proper reasons are to be assigned for not accepting the sale deeds though the Court cannot reduce compensation. It would not mean that sale deeds are to be wholly excluded as to adjudge the value of the land. In these cases, there are certain exemplars, which are of much higher value than the one taken into consideration by the High Court, but they belong to smaller plots. Thus, the sale deeds which have been ignored, related to very small plots, and the valuation was more than 3-4 times as determined by the High Court, the High Court was right in excluding the said sale deeds which were of smaller plots but at the same time, the sale deeds, which were for larger area, were taken into consideration, which appears to reflect the proper valuation of the area in question at the relevant point of time. We find the valuation arrived at by the High Court to be acceptable. At the same time, the High Court has erred in not deducting the amount, which was required to be reduced towards the development.

9. In our opinion, the deduction of 15% towards development would have been sufficient, which ought to have been made in the instant cases, in the peculiar facts of

the case, considering the potentiality of the area in question and the development which has taken place all around. This order not to be treated as a precedent in any other case. Thus, we modify the determination made by the High Court to the above extent only. Let deduction be made accordingly.

10. The appeals filed by the State are partly allowed and those preferred by the owners are dismissed. Pending application, if any, stands disposed of. The amount be paid within four months from today.

.....J.
[ARUN MISHRA]

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

New Delhi;
5th September, 2017.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (C) NO.12675 OF 2017

ANIP SACHTHEY

... PETITIONER(S)

VS.

STATE OF HARYANA

... RESPONDENT(S)

O R D E R

1. In view of the order passed today in SLP(C)Nos.8094-8126/2017 (State of Haryana & Anr. etc.etc. Vs. Pushpendra & Ors. etc.etc.), this petition also stands disposed of in the same terms. Pending application, if any, stands disposed of.

2. It was submitted that it may be clarified that whatever amount is payable under Section 23 of the Land Acquisition Act, all the components have to be treated as part of compensation. Law is well-settled in this regard. All the components under Section 23 form part of the compensation. Thus, statutory benefits have to be paid accordingly.

.....J.
[ARUN MISHRA]

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

New Delhi;
5th September 2017.

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

Item No.6 :**C.A.NOS.11262-11276/2017 @****Petition(s) for Special Leave to Appeal (C) No(s).12193-12207/2017**

(Arising out of impugned final judgment and order dated 09-05-2016 in RFA Nos.609, 626, 628, 629, 630, 633, 634, 635, 636, 639, 1185, 1210, 1585, 4731 of 2012 and RFA No.1108/2013 passed by the High Court Of Punjab & Haryana At Chandigarh)

DHARAM SINGH & ORS.ETC.**Petitioner(s)****VERSUS****STATE OF HARYANA & ORS.ETC.****Respondent(s)**

(With appln.(s) for permission to file SLP, delay in filing substitution appln., substitution, setting aside abatement, deletion of proforma respondents, discharge from guardianship, permission to raise addl. grounds, for c/delay in filing and refiling SLP, for permission to file addl. documents, exemption from filing O.T.)

WITH**C.A.NOS.11277-11281/2017 @ SLP(C) NOS.2423-2427/2017 (IV-B)****C.A.NOS.11362-11364/2017 @ SLP(C) NOS.32424-32426/2016 (IV-B)****C.A.NOS.11365-11374/2017 @ SLP(C) NOS.13383-13392/2017 (IV-B)****C.A.NOS.11375-11379/2017 @ SLP(C) NOS.7645-7649/2017 (IV-B)****C.A.NOS.11380-11382/2017 @ SLP(C) NOS.32084-32086/2016 (IV-B)****C.A.NOS.11384-11389/2017 @ SLP(C) NOS.32351-32356/2016 (IV-B)****C.A.NO.11390/2017 @ SLP(C) NO.16084/2017 (IV-B)****C.A.NOS.11391-11394/2017 @ SLP(C) NOS.12731-12734/2017 (IV-B)****C.A.NOS.11395-11398/2017 @ SLP(C) NOS.12262-12265/2017 (IV-B)****C.A.NOS.11399-11402/2017 @ SLP(C) NOS.13073-13076/2017 (IV-B)****C.A.NOS.11403-11409/2017 @ SLP(C) NOS.13306-13312/2017 (IV-B)****C.A.NOS.11410-11413/2017 @ SLP(C) NOS.32329-32332/2016 (IV-B)**

C.A.NO.11414/2017 @ SLP(C) NO.32382/2016 (IV-B)
C.A.NOS.11415-11423/2017 @ SLP(C) NOS.2554-2562/2017 (IV-B)
C.A.NOS.11424-11468/2017 @ SLP(C) NOS.2488-2532/2017 (IV-B)
C.A.NOS.11469-11473/2017 @ SLP(C) NOS.12669-12673/2017 (IV-B)
C.A.NOS.11474-476/2017 @ SLP(C) NOS.15262-15264/2017 (IV-B)
C.A.NO.11477/2017 @ SLP(C) NO.2460/2017 (IV-B)
C.A.NO.11478/2017 @ SLP(C) NO.32030/2016 (IV-B)
C.A.NOS.11479-11482/2017 @ SLP(C) NOS.15218-15221/2017 (IV-B)
C.A.NOS.12769-12771/2017 @ SLP(C) NOS.24459-24461/2017 @
D.NO.28809/2016 (IV-B)
C.A.NO.12772/2017 @ SLP(C) NO.24462/2017 @ D.NO.28810/2016 (IV-B)
C.A.NOS.11483-11484/2017 @ SLP(C) NOS.11680-11681/2017 (IV-B)
C.A.NO.11485/2017 @ SLP(C) NO.30034/2016 (IV-B)
C.A.NO.11486/2017 @ SLP(C) NO.13298/2017 (IV-B)
C.A.NO.11487/2017 @ SLP(C) NO.12237/2017 (IV-B)
C.A.NOS.11488-11489/2017 @ SLP(C) NOS.11737-11738/2017 (IV-B)
C.A.NOS.11490-11491/2017 @ SLP(C) NOS.33997-33998/2016 (IV-B)
C.A.NO.11492/2017 @ SLP(C) NO.30479/2016 (IV-B)
C.A.NO.11493/2017 @ SLP(C) NO.30506/2016 (IV-B)
C.A.NOS.11494/2017 @ SLP(C) NO.30027/2016 (IV-B)
C.A.NOS.11495-11549/2017 @ SLP(C) NOS.8225-8279/2017 (IV-B)
C.A.NO.11550/2017 @ SLP(C) NO.28194/2016 (IV-B)
C.A.NO.11551/2017 @ SLP(C) NO.28337/2016 (IV-B)
C.A.NO.11552/2017 @ SLP(C) NO.28133/2016 (IV-B)
C.A.NO.11553/2017 @ SLP(C) NO.28593/2016 (IV-B)
C.A.NO.11554/2017 @ SLP(C) NO.28197/2016 (IV-B)
C.A.NOS.11555-11556/2017 @ SLP(C) NOS.13364-13365/2017 (IV-B)

C.A.NOS.11557-11558/2017 @ SLP(C) NOS.33796-33797/2016 (IV-B)

C.A.NOS.11559-11560/2017 @ SLP(C) NOS.33121-33122/2016 (IV-B)

C.A.NO.11561/2017 @ SLP(C) NO.29942/2016 (IV-B)

C.A.NOS.12776-12824/2017 @ SLP(C) NOS.24468-24516/2017 @
CC.... NOS.8364-8412/2017 (IV-B)

C.A.NO.11562/2017 @ SLP(C) NO.27889/2016 (IV-B)

C.A.NO.11563/2017 @ SLP(C) NO.28068/2016 (IV-B)

C.A.NO.11564/2017 @ SLP(C) NO.28233/2016 (IV-B)

C.A.NO.11565/2017 @ SLP(C) NO.28200/2016 (IV-B)

C.A.NO.11566/2017 @ SLP(C) NO.30046/2016 (IV-B)

C.A.NO.11567/2017 @ SLP(C) NO.28243/2016 (IV-B)

C.A.NO.11568/2017 @ SLP(C) NO.28654/2016 (IV-B)

C.A.NO.11569/2017 @ SLP(C) NO.30353/2016 (IV-B)

C.A.NO.11570/2017 @ SLP(C) NO.30512/2016 (IV-B)

C.A.NO.11571/2017 @ SLP(C) NO.30031/2016 (IV-B)

C.A.NO.11572/2017 @ SLP(C) NO.30012/2016 (IV-B)

C.A.NO.11573/2017 @ SLP(C) NO.30611/2016 (IV-B)

C.A.NOS.11574-11596/2017 @ SLP(C) NOS.13405-13427/2017

C.A.NOS.11597-11600/2017 @ SLP(C) NOS.13302-13305/2017 (IV-B)

C.A.NOS.11601-11603/2017 @ SLP(C) NOS.16603-16605/2017 (IV-B)

C.A.NOS.11604-11606/2017 @ SLP(C) NOS.34371-34373/2016 (IV-B)

C.A.NO.11607/2017 @ SLP(C) NO.28146/2016 (IV-B)

C.A.NO.11608/2017 @ SLP(C) NO.7574/2017 (IV-B)

C.A.NO.11609/2017 @ SLP(C) NO.28041/2016 (IV-B)

C.A.NO.11610/2017 @ SLP(C) NO.28919/2016 (IV-B)

C.A.NO.11611/2017 @ SLP(C) NO.28170/2016 (IV-B)

C.A.NO.11612/2017 @ SLP(C) NO.27916/2016 (IV-B)

C.A.NO.11613/2017 @ SLP(C) NO.28748/2016 (IV-B)
 C.A.NO.11614/2017 @ SLP(C) NO.28653/2016 (IV-B)
 C.A.NO.11615/2017 @ SLP(C) NO.28191/2016 (IV-B)
 C.A.NO.11616/2017 @ SLP(C) NO.28016/2016 (IV-B)
 C.A.NO.11617/2017 @ SLP(C) NO.28172/2016 (IV-B)
 C.A.NO.11618/2017 @ SLP(C) NO.7575/2017 (IV-B)
 C.A.NO.11619/2017 @ SLP(C) NO.7571/2017 (IV-B)
 C.A.NO.11620/2017 @ SLP(C) NO.28047/2016 (IV-B)
 C.A.NO.11621/2017 @ SLP(C) NO.28246/2016 (IV-B)
 C.A.NO.11622/2017 @ SLP(C) NO.28914/2016 (IV-B)
 C.A.NOS.11623-11631/2017 @ SLP(C) NOS.10156-10164/2017 (IV-B)
 C.A.NOS.11632-11633/2017 @ SLP(C) NOS.10752-10753/2017 (IV-B)
 C.A.NO.11635/2017 @ SLP(C) NO.12281/2017 (IV-B)
 C.A.NOS.11636-11652/2017 @ SLP(C) NOS.12986-13002/2017 (IV-B)
 C.A.NO.11653/2017 @ SLP(C) NO.12282/2017 (IV-B)
 C.A.NO.11654/2017 @ SLP(C) NO.12255/2017 (IV-B)
 C.A.NOS.11282-11292/2017 @ SLP(C) NOS.11651-11661/2017 (IV-B)
 C.A.NO.11655/2017 @ SLP(C) NO.12280/2017 (IV-B)
 C.A.NOS.11656-11658/2017 @ SLP(C) NOS.12932-12934/2017 (IV-B)
 C.A.NOS.11659-11663/2017 @ SLP(C) NOS.30641-30645/2016 (IV-B)
 C.A.NOS.11664-11668/2017 @ SLP(C) NOS.7639-7643/2017 (IV-B)
 C.A.NOS.11669-11670/2017 @ SLP(C) NOS.12956-12957/2017 (IV-B)
 C.A.NOS.11671-11678/2017 @ SLP(C) NOS.12973-12980/2017 (IV-B)
 C.A.NOS.11679-11692/2017 @ SLP(C) NOS.13270-13283/2017 (IV-B)
 SLP(C) NO.12675/2017 (IV-B)
 C.A.NO.11694/2017 @ SLP(C) NO.12225/2017 (IV-B)
 C.A.NOS.11695-11727/2017 @ SLP(C) NOS.12680-12712/2017 (IV-B)

C.A.NO.11728/2017 @ SLP(C) NO.7776/2017 (IV-B)
C.A.NO.11729/2017 @ SLP(C) NO.12235/2017 (IV-B)
C.A.NO.11730/2017 @ SLP(C) NO.32256/2016 (IV-B)
C.A.NOS.11731-11732/2017 @ SLP(C) NOS.12925-12926/2017 (IV-B)
C.A.NOS.11733-11742/2017 @ SLP(C) NOS.16588-16597/2017 (IV-B)
C.A.NOS.11743-11760/2017 @ SLP(C) NOS.15180-15197/2017 (IV-B)
C.A.NOS.11761-11805/2017 @ SLP(C) NOS.13315-13359/2017 (IV-B)
C.A.NOS.11806-11807/2017 @ SLP(C) NOS.12928-12929/2017 (IV-B)
C.A.NO.11808/2017 @ SLP(C) NO.13295/2017 (IV-B)
C.A.NOS.11809-11810/2017 @ SLP(C) NOS.12755-12756/2017 (IV-B)
C.A.NOS.11814-11864/2017 @ SLP(C) NOS.8024-8074/2017 (IV-B)
C.A.NOS.11811-11813/2017 @ SLP(C) NOS.35314-35316/2016 (IV-B)
C.A.NO.11865/2017 @ SLP(C) NO.10242/2017 (IV-B)
C.A.NOS.11866-11867/2017 @ SLP(C) NOS.33156-33157/2016 (IV-B)
C.A.NO.11868/2017 @ SLP(C) NO.12284/2017 (IV-B)
C.A.NO.11869/2017 @ SLP(C) NO.12276/2017 (IV-B)
C.A.NO.11870/2017 @ SLP(C) NO.12674/2017 (IV-B)
C.A.NO.11871/2017 @ SLP(C) NO.12266/2017 (IV-B)
C.A.NO.11872/2017 @ SLP(C) NO.12254/2017 (IV-B)
C.A.NO.11873/2017 @ SLP(C) NO.12227/2017 (IV-B)
C.A.NO.11874/2017 @ SLP(C) NO.12279/2017 (IV-B)
C.A.NOS.11875-11883/2017 @ SLP(C) NOS.12267-12275/2017 (IV-B)
C.A.NO.11884/2017 @ SLP(C) NO.12232/2017 (IV-B)
C.A.NO.11885/2017 @ SLP(C) NO.13071/2017 (IV-B)
C.A.NO.11886/2017 @ SLP(C) NO.12256/2017 (IV-B)
C.A.NO.11888/2017 @ SLP(C) NO.13439/2017 (IV-B)
C.A.NOS.11889-11890/2017 @ SLP(C) NOS.12258-12259/2017 (IV-B)

C.A.NO.11891/2017 @ SLP(C) NO.8090/2017 (IV-B)
C.A.NO.11892/2017 @ SLP(C) NO.8127/2017 (IV-B)
C.A.NO.11893/2017 @ SLP(C) NO.12253/2017 (IV-B)
C.A.NOS.11894-11895/2017 @ SLP(C)NOS.34921-34922/2016 (IV-B)
C.A.NOS.11896-11897/2017 @ SLP(C)NOS.2708-2709/2017 (IV-B)
C.A.NO.11898/2017 @ SLP(C) NO.36117/2016 (IV-B)
C.A.NOS.11899-11900/2017 @ SLP(C)NOS.35762-35763/2016 (IV-B)
C.A.NO.11293/2017 @ SLP(C) NO.7082/2017 (IV-B)
C.A.NO.11901/2017 @ SLP(C) NO.2449/2017 (IV-B)
C.A.NO.11902/2017 @ SLP(C) NO.13438/2017 (IV-B)
C.A.NO.11294/2017 @ SLP(C) NO.5118/2017 (IV-B)
C.A.NO.11295/2017 @ SLP(C) NO.5008/2017 (IV-B)
C.A.NO.11296/2017 @ SLP(C) NO.5945/2017 (IV-B)
C.A.NO.11297/2017 @ SLP(C) NO.7081/2017 (IV-B)
C.A.NOS.11903-11906/2017 @ SLP(C)NOS.12676-12679/2017 (IV-B)
C.A.NOS.11907-11910/2017 @ SLP(C)NOS.12228-12231/2017 (IV-B)
C.A.NO.11911/2017 @ SLP(C) NO.12252/2017 (IV-B)
C.A.NO.11912/2017 @ SLP(C) NO.7625/2017 (IV-B)
C.A.NOS.11913-11945/2017 @ SLP(C)NOS.8094-8126/2017 (IV-B)
C.A.NO.11946/2017 @ SLP(C) NO.8077/2017 (IV-B)
C.A.NO.11947/2017 @ SLP(C) NO.2649/2017 (IV-B)
C.A.NO.11948/2017 @ SLP(C) NO.2707/2017 (IV-B)
C.A.NO.11949/2017 @ SLP(C) NO.8078/2017 (IV-B)
C.A.NOS.11950-11962/2017 @ SLP(C) NOS.7655-7667/2017 (IV-B)
SLP(C) NO.8089/2017 (IV-B)
C.A.NOS.11964-68/2017 @ SLP(C) NOS.7633-7637/2017 (IV-B)
C.A.NOS.11969-11970/2017 @ SLP(C) NOS.10764-10765/2017 (IV-B)

C.A.NOS.11971-11973/2017 @ SLP(C) NOS.10420-10422/2017 (IV-B)
C.A.NOS.11974-12013/2017 @ SLP(C) NOS.15408-15447/2017 (IV-B)
C.A.NO.12014/2017 @ SLP(C) NO.10811/2017 (IV-B)
C.A.NO.12015/2017 @ SLP(C) NO.10812/2017 (IV-B)
C.A.NO.12016/2017 @ SLP(C) NO.10188/2017 (IV-B)
C.A.NO.12017/2017 @ SLP(C) NO.8222/2017 (IV-B)
C.A.NOS.12018-12019/2017 @ SLP(C) NOS.10154-10155/2017 (IV-B)
C.A.NOS.12773-12775/2017 @ SLP(C) NOS.24464-24466/2017 @
D.NO.6038/2017 (IV-B)
C.A.NO.12020/2017 @ SLP(C) NO.11645/2017 (IV-B)
C.A.NO.12021/2017 @ SLP(C) NO.15266/2017 (IV-B)
C.A.NOS.12022-12023/2017 @ SLP(C) NOS.9005-9006/2017 (IV-B)
C.A.NO.12024/2017 @ SLP(C) NO.13036/2017 (IV-B)
C.A.NOS.12825-12826/2017 @ SLP(C) NOS.24518-24519/2017 @
D.NO.8385/2017 (IV-B)
C.A.NO.12025/2017 @ SLP(C) NO.11615/2017 (IV-B)
C.A.NOS.12026-12031/2017 @ SLP(C) NOS.10256-10261/2017 (IV-B)
C.A.NO.12032/2017 @ SLP(C) NO.9936/2017 (IV-B)
C.A.NO.12827/2017 @ SLP(C) NO.24525/2017 @ D.NO.9507/2017 (IV-B)
C.A.NO.12033/2017 @ SLP(C) NO.13519/2017 (IV-B)
C.A.NO.12034/2017 @ SLP(C) NO.14706/2017 (IV-B)
C.A.NOS.13831-13934/2017 @ SLP(C) NO.24829-24932/2017
(D.NO.11111/2017) (IV-B)
C.A.NO.12768/2017 @ SLP(C) NO.24458/2017 @ D.NO.12177/2017 (IV-B)
C.A.NO.12035/2017 @ SLP(C) NO.15112/2017 (IV-B)
C.A.NO.12036/2017 @ SLP(C) NO.16612/2017 (IV-B)
C.A.NO.12037/2017 @ SLP(C) NO.16001/2017 (IV-B)
C.A.NO.12767/2017 @ SLP(C) NO.24449/2017 @ D.NO.17473/2017 (IV-B)
C.A.NO.12038/2017 @ SLP(C) NO.16753/2017 (IV-B)

C.A.NO.12039/2017 @ SLP(C) NO.18173/2017 (IV-B)

C.A.NO.12040/2017 @ SLP(C) NO.19536/2017 (IV-B)

C.A.NO.12041/2017 @ SLP(C) NO.21477/2017 (IV-B)

C.A.NO.12042/2017 @ SLP(C) NO.21172/2017 (IV-B)

C.A.NO.12043/2017 @ SLP(C) NO.21240/2017 (IV-B)

AND

C.A.NO.15015/2017 @ SLP(C)NO.20072/2017 @ D.NO.14074/2017

AND

C.A.NOS.15018-15019/2017 @ SLP(C)NOS.25322-25323/2017 @ CC NOS.
8156-8157/2017 @ D.NO.28808/2016

AND

C.A.NO.11608/2017 @ SLP(C)NO.7574/2017

AND

C.A.NO.11618/2017 @ SLP(C)NO.7575/2017

AND

C.A.NO.11619/2017 @ SLP(C)NO.7571/2017

AND

C.A.NOS.14997-14998/2017 @ SLP(C)NOS.15104-15105/2017

AND

C.A.NOS.14149-14156/2017 @ SLP(C)NOS.24933-24940/2017 @
SLP.....CC 21657-21664/2016

Item No.9 :

C.A.NOS.15000-15002/2017 @ SLP(C)NOS.12958-12960/2017

ITEM NO.10 :

C.A.NO.14996/2017 @ SLP(C)NO.15367/2017

Date : 05-09-2017 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. V. Shekhar, Sr. Adv.
Mr. Arun K. Sinha, AOR
Mr. Sumit Sinha, Adv.
Mr. Sinha Shrey Nikhilesh, Adv.
Mr. Mohinder Singh, Adv.

Ms. Kiran Suri, Sr. Adv.
Mr. S.J. Amith, Adv.
For Dr. (Mrs.) Vipin Gupta, AOR

Mr. Jasbir Singh Malik, Adv.
Ms. Usha Nandini V., AOR

Mr. Siddharth Batra, Adv.
Mr. Ravinder Kumar, Adv.
For Mr. Ajit Sharma, AOR

Mr. Shailendra Jain, Adv.
Mr. Siddharth Batra, Adv.
Mr. Ravinder Kumar, Adv.
For Mr. Ajit Sharma, AOR

Mr. Siddharth Mittal, AOR

Mr. Aditya Sharma, Adv.
Mr. Anil Kumar Sharma, Adv.
Mr. L.D. Kaushik, Adv.
For Mr. K.S. Rana, AOR

Dr. Surender Singh Hooda, AOR

Ms. Anuj Bhandari, AOR

Mr. Dinesh Verma, Adv.
Mr. M.L. Sharma, Adv.
Mr. Rojal Sharma, Adv.
Mr. S.L. Aneja, AOR
Mr. Subhasish Bhowmick, AOR

Mr. Vibhuti Sushant Gupta, Adv.
Mr. Amarjit Singh Yadav, Adv.
Mr. Ram Naresh Yadav, AOR
Dr. Kailash Chand AOR

Mr. Varinder Kumar Sharma, AOR

Mr. Ranbir Singh Yadav, AOR
Mr. Anzu. K. Varkey, AOR
Mr. Puran Mal Saini, Adv.

Mr. Adarsh Upadhyay, AOR

Mr. P.B.A. Srinivasan, Adv.
Mr. Neeraj Kumar, AOR
Ms. Vidhi Gupta, Adv.

Mr. Tarun Gupta, AOR

Mr. Abhishek Dahiya, Adv.
Mr. Satish Kumar, AOR

Dr. B.B. Parsoon, Sr. Adv.
Mr. Gagan Gupta, AOR
Mr. Sonam Priya Singh, Adv.
Mr. Lakshita Sahni, Adv.

Mr. Vijay K. Jain, AOR

Mr. Aditya Singh, AOR
Mr. Vikas Verma, Adv.
Mr. Arun Kumar, Adv.
Mr. Rajiv Dalal, Adv.

Mrs. Amita Gupta, AOR

Mr. A. Tewari, Adv.
Ms. Eliza Bar, Adv.
Mr. Shree Pal Singh, AOR

Mr. Naresh Kaushik, Adv.
Mr. Vardhman Kaushik, Adv.
Mr. Manoj Joshi, Adv.
For Mrs Lalita Kaushik, AOR

SLP(C)12675

Mr. Anip Sachthey, Adv. (In-person)

Mr. Anip Sachthey, AOR
Ms. Anjali Chauhan, Adv.
Ms. Ria Sachthey, Adv.

Mr. S.K. Verma, AOR

Mr. Avnish Ahlawat, Adv.
Ms. Rani Chhabra, AOR
Ms. Priyanka Sony, Adv.

Dr. M.S. Verma, Adv.
Mr. N.N. Jha, Adv.
Mr. Kuldeep Singh Tomar, Adv.
For Mrs. Santosh Singh, AOR

Mr. Gopal Verma, AOR
Mr. Umesh Yadav, Adv.

Mr. Manoj Swarup, Adv.
Mr. Ankit Swarup, Adv.
Ms. Tanya Swarup, Adv.
For Mr. Mukul Kumar, AOR

Mr. Swarn Kumar, Adv.
Ms. Divya Roy, AOR

Mr. Rajeev Gurung, Adv.
Mr. Piyush Sharma, Adv.
Mr. Dinesh Chandra Pandey, AOR

Mr. S.S. Shamsbery, Adv.
Mr. Amit Sharma, Adv.
Mr. Ankit Raj, Adv.
Ms. Ruchi Kohli, AOR

Mr. Akshat Goel, AOR

Mr. Arun K. Sinha, AOR
Mr. Mohinder Singh, Adv.
Mr. Sumit Sinha, Adv.
Mr. Shrey Sinha Nikhilesh, Adv.

Mr. James P. Thomas, AOR
Mr. C.M. Jayakumar, Adv.

Mr. Devesh Kumar Tripathi, AOR

Mr. Surender Deswal, Adv.
Mr. Sahil A. Garg, Adv.
Mr. Aslam, Adv.
Mr. Nikhil Mittal, Adv.

For Respondent(s)
STATE

Mr. Vinay Kuthiala, Sr. Adv.
Mr. Shekhar Raj Sharma, Adv.
Mr. Sanjay Kr. Visen, Adv.

Mr. Praveen Jain, AOR
Mr. Siddharth Jain, Adv.

Mr. Pallav Sishodia, Sr. Adv.
Mr. Sanjiv Choudhary, Adv.
Mr. Rakesh Kr. Singh, Adv.
Ms. A. Shivani, Adv.
For Mr. Swetank Shantanu, AOR

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

SLP(C) Nos. 12193-12207, 2423-2427, 11651-11661, 7082, 5118, 5008, 5945, 7081 and 8089 of 2017 :

De-tagged.

List tomorrow, i.e., on 6.9.2017.

Rest of the matters :

Permission to file SLPs is granted.

Applications for condonation of delay in filing substitution, substitution, deletion, setting aside abatement and for discharge from guardianship and transposition are allowed.

Delay condoned.

Leave granted.

The appeals filed by the State are partly allowed and those preferred by the owners are dismissed in terms of the signed orders.

Pending applications stand disposed of. The amount be paid within four months from today.

**(Sarita purohit)
Court Master**

**(Tapan Kumar Chakraborty)
Branch Officer**

(Four signed orders are placed on the file)