

Sr. No.	Date	Orders
		<p>* IN THE HIGH COURT OF DELHI AT NEW DELHI</p> <p style="text-align: right;">Date of Decision : March 09, 2004</p> <p>+ RFA 122/2000</p> <p>Ram Lal (Decd.) through LRs ..... Appellant Through None.</p> <p style="text-align: center;">versus</p> <p>UOI &amp; ANR. .... Respondents Through Mr. Sanjay Poddar, Adv.</p> <p>CORAM:</p> <p>HON'BLE MR. JUSTICE DALVEER BHANDARI HON'BLE MR. JUSTICE R.C. JAIN</p> <ol style="list-style-type: none"><li>1. Whether the Reporters of local papers may be allowed to see the judgment?</li><li>2. To be referred to the Reporter or not?</li><li>3. Whether the judgment should be reported in the Digest?</li></ol> <p><u>DALVEER BHANDARI, J. (ORAL)</u></p> <p>In view of our detailed judgment in RFA No.116/2000 relating to village Khampur, this appeal is also disposed of.</p> <p style="text-align: right;"><i>Dalveer Bhandari</i> DALVEER BHANDARI, J</p> <p style="text-align: right;"><i>R.C. Jain</i> R.C. JAIN, J</p> <p>MARCH 09, 2004 rc'</p>

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R.F.A.No.116/2000 &  
other connected appeals

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision : March 09, 2004

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RFA 116/2000

HARI CHAND

..... Appellant

Through Mr. Deepak Khosla, Adv.

versus

UOI

..... Respondent

Through Mr. Sanjay Poddar, Adv.

AND

R.F.A.Nos. 122/2000, 123/00, 128/00, 129/00, 130/00,  
131/00, 149/00, 150/00. & 501/2000

CORAM:

HON'BLE MR. JUSTICE DALVEER BHANDARI

HON'BLE MR. JUSTICE R.C. JAIN

1. Whether the Reporters of local papers may be allowed to see the judgment? *yes*
2. To be referred to the Reporter or not? *yes*
3. Whether the judgment should be reported in the Digest? *yes*

DALVEER BHANDARI, J. (ORAL)

1. This appeal is directed against the judgment dated 27.11.1999 passed by the learned Additional District Judge.

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in LAC No.28/99.

2. The land of the appellant in village Khampur was acquired by a notification dated 9.3.1992 for construction of slaughter house for development of Narela Township on emergent basis. The Land Acquisition Collector awarded compensation at the rate of Rs.96,875/- per bigha along with all other benefits as per the provisions of the Land Acquisition Act. The reference court after taking into consideration the entire documentary evidence and judgments enhanced the compensation to Rs.1,18,600/- per bigha.
3. The court also directed that the appellant shall be entitled to receive additional amount under Section 23 (1-A) of the Act @ 12% per annum on the market value from the date of notification under Section 4 of the Act till the date of award or dispossession, whichever is earlier and to solatium at the rate of 30% of such market value in view of compulsory nature of the acquisition and also interest under Section 28 of the Act at the rate of 9% for the first year from the date of dispossession and at 15% per annum for the subsequent period till payment on the difference between the enhanced

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compensation award by this court and the compensation awarded by the Land Acquisition Collector.

4. Mr. Deepak Khosla, learned counsel appearing for the appellant, submitted that 12% escalation from 27.4.1990 which has been granted by the learned ADJ is inadequate and instead the appellant ought to be granted 15% escalation.
5. We have heard learned counsel for the parties. In view of the decision of their Lordships of the Supreme Court in Satpal & Anr. vs. Union of India reported as JT 1997 (8) SC 213 by which a Division Bench judgment of this court granting escalation at the rate of 12% per annum has been approved. This judgment thereafter been followed in many cases by this court.
6. Learned counsel appearing for the appellant submits that in view of the Constitution Bench judgment of the Supreme Court in Sunder vs. Union of India reported as (2001) 7 SCC 211, he is also entitled for interest on the amount of solatium. We order accordingly.

J

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R.F.A.No.116/2000 &  
other connected appeals

7. Nothing further survives in this appeal and this appeal is accordingly dismissed. The parties are directed to bear their own costs.

*Dalveer Bhandari*  
DALVEER BHANDARI, J

*R.C. Jain*  
R.C. JAIN, J

MARCH 09, 2004  
'rc'