

ASHOK KUMAR & ORS.

A

v.

UNION OF INDIA & ANR.

(Civil Appeal No.10831 of 2016)

NOVEMBER 29, 2016

B

[DIPAK MISRA AND AMITAVA ROY, JJ.]

Land Acquisition Act, 1894:

Compensation – All relevant facets i.e. location of the land in village Masoodabad, notifications for acquisition under the ‘Act’ as well as the quantification of compensation awarded by the Land Acquisition officer, Reference Court and High Court are the same as in the Supreme Court decision in Suresh Prasad case – Therefore, appellants granted same compensation i.e. Rs.24 lacs per acre along with other statutory benefits under the Act including interest as payable in terms of the above decision.

C

D

Compensation – All relevant facets i.e. location of the land in village, Bannoli, notifications for acquisition under the ‘Act’ as well as the quantification of compensation awarded by the Land Acquisition officer, Reference Court and High Court are the same as in the Supreme Court decision in Charan Singh case – Therefore, appellants granted same compensation i.e. Rs.25 lacs per acre for land in Block ‘A’ and Rs.22 lacs per acre for land in Block ‘B’ along with other statutory benefits under the Act including interest as payable in terms of the above decision.

E

Compensation – All relevant facets i.e. location of the land in village Bijwasan, Pochanpur and Bharthal, notifications for acquisition under the ‘Act’ as well as the quantification of compensation awarded by the Land Acquisition officer, Reference Court and High Court are the same as in the Supreme Court decision in Impulse India case – Therefore, appellants granted same compensation i.e. Rs.21 lacs per acre for land in Block ‘A’ and Rs.19 lacs per acre for land in Block ‘B’ along with other statutory benefits under the Act including interest as payable in terms of the above decision.

F

G

Suresh Prasad @ Hari Kishan & Ors. v. Union of India

H

- A & Anr. (2016) 12 SCALE 402; *Charan Singh & Ors. Etc. v. Union of India & Anr.* (2016) 12 SCALE 400; *Impulse India Pvt. Ltd. v. Union of India & Anr.* (2016) 12 SCALE 396 – followed.

Case Law Reference

- | | | | |
|---|---------------------|----------|--------|
| B | (2016) 12 SCALE 402 | followed | Para 2 |
| | (2016) 12 SCALE 400 | followed | Para 4 |
| | (2016) 12 SCALE 396 | followed | Para 6 |

- C CIVIL APPELLATE JURISDICTION: Civil Appeal No. 10831 of 2016.

From the Judgment and Order dated 01.02.2012 of the High Court of Delhi in L. A. Appeal No. 503 of 2011

WITH

- D C. A. Nos. 10832, 10833, 10834, 10835, 10836, 10838, 10839, 10840, 10843, 10844, 10845, 10846, 10847, 10848, 10849, 10850 of 2016.

Arvind Kumar Sharma, Dev Prakash Bhardwaj, Advs. for the Appellants.

- E R. Balasubramaniam, Ananya Mishra, Santosh Kumar, Ms. Aarti Sharma, Shadman Ali, G. Ramakrishna Prasad, M. K. Maroria (For D. S. Mahra), Vishnu B. Saharya, Viresh B. Saharya (For M/s. Saharya & Co.), Ashwani Kumar, Rahul Bhatia, Ms. Garima Prashad, Ms. Rachana Srivastava, Ms. Monika, Sukrit R. Kapoor, Govind Goel, Ankit Goel, Karri Venkata Reddy (For Dr. Kailash Chand), Ms. Shashi Kiran,
- F Abhiuday Chandra, Advs. for the Respondents.

The Judgment of the Court was delivered by

- G **AMITAVAROY, J. 1.** Heard Mr. Arvind Kumar Sharma, learned counsel for the appellants and Mr. R. Balasubramaniam, Mr. Vishnu B. Saharya, Ms. Rachna Srivastava, Ms. Shashi Kiran, Mr. Ashwani Kumar, Mr. Govind Goel and Ms. Garima Prashad, learned counsel for the respondents.

- H (A) C.A. No. 10838 of 2016 @ SLP (C) No. 32064 of 2015, C.A. No. 10839 of 2016 @ SLP (C) No. 32065 of 2015, C.A. No. 10840 of 2016 @ SLP (C) No. 32066 of 2015 and C.A. No. 10843 of 2016 @ SLP (C) No. 32059 of 2015

2. It is submitted at the Bar, that the verdict rendered by this Court in Civil Appeal No.1726 of 2015 (dated 18.03.2015) – **Suresh Prasad @ Hari Kishan & Ors. Vs. Union of India & Anr.**, deciding the same along with a batch of appeals would adequately answer the issues raised herein, as the all relevant facets i.e. location of the land in village Masoodabad, notifications for acquisition under the Land Acquisition Act, 1894 (for short, the ‘Act’) as well as the quantification of the compensation awarded by the Land Acquisition Officer, Reference Court and the High Court are same. In this view of the matter further dilation of individual facts is considered inessential.

3. On a consideration of the explanation offered, the delay involved in preferring the appeals, in the singular facts and circumstances, is hereby condoned. The amount of compensation as granted by this Court in **Suresh Prasad** (supra) is also awarded to the appellants i.e. Rs.24 lacs per acre. Needless to say, the appellants would be entitled to all statutory benefits under the Act including interest as payable in terms of the above decision.

(B)C.A. NO. 10831 of 2016 @ SLP(C) No.22231/2015,
C.A. NO. 10832 OF 2016 @ SLP(C) No.22232/2015,
C.A. NO. 10833 OF 2016 @ SLP(C) No.22233/2015,
C.A. NO. 10834 OF 2016 @ SLP(C) No.22238/2015,
C.A. NO. 10835 OF 2016 @ SLP(C) No.22239/2015,
C.A. NO. 10836 OF 2016 @ SLP(C) No.30715/2015,
C.A. NO. 10844 OF 2016 @ SLP(C) No.30714/2015,
C.A. NO. 10845 OF 2016 @ SLP(C) No.23491/2015,
C.A. NO. 10846 OF 2016 @ SLP(C) No.22229/2015 and
C.A. NO. 10847 OF 2016 @ SLP(C) No.31571/2015.

4. It is submitted at the Bar that the ruling by this Court in Civil Appeal Nos.10982-11033 of 2014 (dated 11.12.2014) – **Charan Singh & Ors. Etc. Vs. Union of India & Anr.**, deciding the same along with a batch of appeals would adequately address the issues raised herein, as the all relevant facets i.e. location of the land in village Bamnoli; notifications for acquisition under the Act as well as the quantification of the compensation awarded by the Land Acquisition Officer, Reference

- A Court and the High Court are same. In this view of the matter further dilation of individual facts is considered inessential.

5. On a consideration of the explanation offered, the delay involved in preferring the appeals, in the singular facts and circumstances, is hereby condoned. The amount of compensation as granted by this Court in

- B **Charan Singh** (supra) is also awarded to the appellants i.e. Rs.25 lacs per acre for land in Block 'A' and Rs.22 lacs per acre for land in Block 'B'. Needless to say, the appellants would be entitled all statutory benefits under the Act including interest as payable in terms of the above decision.

- C (C) C.A. NO. 10848 OF 2016 @ SLP(C) No. 27290/2015, C.A. NO. 10849 OF 2016 @ SLP(C) No. 29681/2015 and C.A. NO. 10850 OF 2016 @ SLP(C) No. 12343/2015.

- D 6. It is submitted at the Bar that the decision rendered by this Court in Civil Appeal No. 2091 of 2014 (dated 13.02.2014) – **Impulse India Pvt. Ltd. Vs. Union of India & Anr.**, deciding the same along with a batch of other appeals would adequately cover the issues raised herein, as the all relevant facets i.e. location of the land in village Bijwasan, Pochanpur and Bharthal, notifications for acquisition under the Act as well as the quantification of the compensation awarded by the Land Acquisition Officer, Reference Court and the High Court are same. In this view of the matter further dilation of individual facts is considered
- E inessential.

- F 7. On a consideration of the explanation offered, the delay involved in preferring the appeals, in the singular facts and circumstances, is hereby condoned. The amount of compensation as granted by this Court in **Impulse India Pvt. Ltd.** (supra) is also awarded to the appellants i.e. Rs.21 lacs per acre for land in Block 'A' and Rs.19 lacs per acre for land in Block 'B'. Needless to say, the appellants would be entitled all statutory benefits under the Act including interest as payable in terms of the above decision.

- G 8. The appeals had been analogously heard and have thus been disposed of in the above terms. Costs easy.