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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ LA.APP. 458/2011

UNION OF INDIA & ANR

..... Appellants

Through: Mr.Sanjay Poddar, Senior Advocate
with Mr.Sanjay Kumar Pathak,
Mr.Mohitrao Jadhav, and Ms.Navlin
Swain, Advocates for UOI/LAC

versus

SUDESH & ANR

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

17.11.2011

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C.M.No. 13771/2011 (Condonation of delay)

1. There is delay of 131 days in filing the accompanying appeal.
2. For the reasons stated in the application, the same is allowed and the delay in filing the accompanying appeal is condoned.
3. CM stands disposed of.

LA.APP. 458/2011

1. The fate of this appeal would be governed by the decision of this court in LA APP.266/2008, titled as 'Jai Singh Vs. UOI & Another', rendered on 23.8.2011, wherein dealing with the

LA.App.No.458/2011

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Notification dated 11.9.2000 under Section 4 of Land Acquisition Act, 1894 pertaining to the Village Khera Khurd, the compensation awarded is Rs.18,65,500/-.

2. The Notification under Section 4 of Land Acquisition Act, 1894 in the instant appeal is of 11.9.2000 and this appeal pertains to Village Khera Khurd and while dealing with this very Notification, this Court in Jai Singh (supra) in respect of this Village has awarded the compensation for 'A' category land at Rs.18,65,500/- per acre and the operative part of the decision rendered in Jai Singh (supra) reads as under:-

70. With reference to the notification dated 9.8.2001 wherein with effect from 1.4.2000 minimum price notified per acre is ₹13.82 lakhs per acre and requiring said price to be suitably updated to reach the date of the notification i.e. 11.9.2000 and with reference to the sale deed dated 25.5.2002 wherein for Category 'C' lands, land price per acre comes to ₹17,74,109/-, rounded off to ₹17,75,000/- per acre, and for Category 'B' lands increasing the same by 2.5% the price comes to ₹18.2 lakhs per acre and further increasing by 2.5% the prices comes to ₹18,65,500/- per acre for Category 'A' lands; and decreasing the said prices by 11% to reflect the price with reference to the sale deed for the date 11.9.2000; the mean average price for Category 'A' lands in village Khera Khurd comes to ₹14,83,500/- per acre and decreasing the same by 2.5%, it comes to ₹14,46,413/- per acre for Category 'B' lands.

3. The impugned order of 29.11.2010 reveals that the respondent's land is of 'A' category and since the compensation awarded by the impugned order for 'A' category of land is Rs.14,40,157/- per acre and is less than the one granted by this Court

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in Jai Singh (supra), therefore this appeal is required to be dismissed and is accordingly dismissed.

4. No costs.



SUNIL GAUR, J

NOVEMBER 17, 2011
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