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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ LA.APP. 21/2015, CM Nos.237/2015, 238/2015 & 239/2015

UNION OF INDIA

..... Appellant

Through : Mr.Yeeshu Jain and MS.Jyoti Tyagi,
Advocates.

versus

MANGE RAM & ANR

..... Respondents

Through : Mr.J.K.Ghanshyam, Advocate for
R-1.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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24.11.2016

1. The instant appeal has been filed by the Union of India challenging the judgment and decree 03.10.2013 passed in LAC No.205-A/12.
2. Learned counsel for the appellant/UOI has placed on record the copy of the order dated July 25, 2016 passed in LA.APP.No.536/2015 titled as Union of India vs. Satya Prakash & Anr. submitting that the said appeal has been dismissed in terms of judgment dated 23.08.2011 passed by Co-ordinate Bench of this Court in LA.APP No.266/2008 titled as Jai Singh vs. Union of India. She further submits that this case is also covered by the judgment dated 23.08.2011 passed in the case of Jai Singh vs. Union of India hence this appeal may be disposed of in terms of the said judgment.
3. In the judgment dated 23.08.2011 passed in the case of Jai Singh vs. Union of India the operative paragraphs pertaining to Village Sanoth, where the suit land is situated, are 95 and 96 which are extracted as under:

“95. Pertaining to the appeals and cross objections by the land

owners and Union of India as per 'GRID-P' pertaining to the notification dated 27.1.2003 relating to village Sanoth, I note LA.App.No.266/2008 & connected matters Page 72 of 74 that the learned Land Acquisition Collector has placed the lands in 3 categories and I find that the learned Reference Court has without any discussion held the lands as of uniform category while awarding compensation.

96. On the mean average basis which I have been following by increasing the price as of 1.4.2001 with reference to the notification issued by the Government as also by increasing the same with reference to the sale deed dated 20.5.2002 and taking the mean average, for Category 'A' lands the price comes to ₹19,43,500/- per acre and for Category 'B' land the price comes to ₹18,94,912.50 per acre and for Category 'C' lands the price comes to ₹18,47,539.68 per acre. I find that the learned Reference Court has uniformly determined fair market value at ₹19,13,765/- and thus such appeals or cross objections which have been filed by land owners the same have to be dismissed in so far they pertain to Category 'B' and Category 'C' lands and similar would be the fate of appeals and cross objections filed by Union of India pertaining to Category 'A' lands. The said appeals and cross objections as per 'GRID-P' are dismissed. Appeals and cross objections filed by land owners pertaining to Category 'A' lands are allowed by decreeing compensation payable in sum of ₹19,43,500/- per acre and needless to state on the enhanced compensation statutory benefits as per the Land Acquisition Act 1894 as interpreted in the judgment reported as Sunder Vs. UOI 2001 (93) DLT 569 shall be paid save and except in such appeals and cross objections where there is a delay, interest would not be paid for the period of delay. Proportionate costs as well. The appeals and cross objections filed by Union of India pertaining to Category 'B' and Category 'C' lands are allowed by modifying the relatable decree in the Reference Order by reducing the compensation for Category 'B' land to ₹18,94,912.50 per acre and for Category 'C' land to ₹18,47,539.68 per acre."

4. In view of the above and the ratio in the case of Jai Singh vs. Union of India, the instant appeal as well as the pending applications are dismissed.

PRATIBHA RANI, J.

NOVEMBER 24, 2016
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