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

+ LA.APP. 57/2015 and C.M. No.1467/2015 (stay)

UNION OF INDIA

..... Appellant

Through: Ms. Jyoti Tyagi, Advocate.

versus

BHARAT SINGH & ANR

..... Respondents

Through: Ms. Sakshi Vaid, Advocate for
respondent No.2.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **02.08.2016**

1. Learned counsel for the appellant could not dispute that the issue of award of compensation is decided against the appellant by the judgment of a learned Single Judge of this Court in the case of ***Jai Singh Vs. UOI & Anr.*** in LA. App. No.266/2008 decided on 23.8.2011 with other connected cases.

2. The relevant para of the judgment in the case of ***Jai Singh*** reads as under:-

“97. For parity of reasoning as per para 96 above pertaining to village Sanoth, similar corrective action is to be required pertaining to lands acquired pursuant to notification dated 27.1.2003 relating to village Rajapur Kalan and where I find that the learned Reference Court has in some cases awarded compensation in sum of Rs.19,13,765/- per acre and in some cases at Rs.19,16,040/- per acre by treating all lands of uniform category. 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 Rs.19,43,500/- per acre and for Category 'B' land the price comes to Rs.18,94,912.50 per acre and for Category 'C' lands the price comes to Rs.18,47,539.68 per acre. 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-Q' are dismissed. Appeals and cross objections filed by land owners pertaining to Category 'A' lands are allowed by decreeing compensation payable in sum of Rs.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 Rs.18,94,912.50 per acre and for Category 'C' land to Rs.18,47,539.68 per acre."

3. In view of the above, since the issue stands decided in the case of *Jai Singh (supra)*, this appeal is accordingly dismissed.

VALMIKI J. MEHTA, J

AUGUST 02, 2016/Ne