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

+ LA.APP. 12/2015 and C.M. No.209/2016 (stay)

UNION OF INDIA

..... Appellant

Through: Ms. Jyoti Tyagi, Advocate.

versus

BEDO DEVI (DECEASED) & ORS

..... 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 paras of the judgment in the case of **Jai Singh (supra)** read as under:-

“72. With reference to the notification dated 9.8.2001 wherein with effect from 1.4.2001 minimum price notified per acre is Rs.15.7 lakhs per acre and requiring said price to be suitably updated to reach the date of the notification i.e. 2.5.2001 and with

reference to the sale deed dated 25.5.2002 wherein for Category 'C' lands, land price per acre comes to Rs.17,74,109/-, rounded off to Rs.17,75,000/- per acre, and for Category 'B' lands increasing the same by 2.5% the price comes to Rs.18.2 lakhs per acre and further increasing by 2.5% the prices comes to Rs.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 25.2001; the mean average price for Category 'A' lands in village Narela comes to Rs.16,16,500/- per acre and decreasing the same by 2.5%, it comes to Rs.15,76,087- per acre for Category 'B' lands. Noting that the learned Reference Court has, without any reasons, done away with Category 'B' lands and uniform price awarded is Rs.15,85,570/- per acre and since for Category 'B' lands the price worked out by me is less by Rs.9,000/- per acre which is a meager amount, I hold that for Category 'B' lands the price determined would be as per the reference but for Category 'A' lands the price stands enhanced to Rs.16,16,500/- per acre.

73. All Land Acquisition Appeals as per 'GRID-E' filed by the land owners and cross-objections filed by the land owners in appeals filed by Union of India are allowed by decreeing compensation payable for Category 'A' lands in village Narela pertaining to the notification dated 25.2001 in sum of Rs.16,16,500/- per acre and as per the reference order for Category 'B' lands. Thus, appeals filed by the Union of India as also cross objections filed by Union of India as also such appeals which relate to Category 'B' lands filed by land owners are dismissed and the ones i.e. the appeals and cross objections filed by the land owners pertaining to Category 'A' lands are allowed as aforesaid and needless to state on the enhanced compensation statutory benefits as per the Land Acquisition Act 1894 as explained in the judgment reported as Sunder Vs. UOI 2001 (93) DLT 569 shall be granted, except for the period where there is a delay in filing the appeal, for which period of delay no interest on the enhanced compensation shall be paid. These appellants would be entitled to proportionate cost."

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
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