



2025:DHC:1915



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of Decision: 06.03.2025*+ **LA.APP. 150/2013, CM APPL. 13172/2013****UNION OF INDIA**

.....Appellant

Through: Mr. Siddharth Panda, Mr. Anil Pandey, Advs.

versus

SH CHANDER MOHAN CHOPRA & ORSRespondents

Through: Mr. Kunal Sharma, Ms. Rishika Goyal, Advs. for DDA

CORAM:**HON'BLE MS. JUSTICE TARA VITASTA GANJU****TARA VITASTA GANJU, J.:** (Oral)**CM APPL. 13171/2013** [for condonation of delay]

1. This Application has already been disposed of by the Court on 10.01.2014.

2. The Registry is directed not to show this Application as pending.

LA.APP. 150/2013, CM APPL. 13172/2013 [for stay]

3. The present Appeal has been filed on behalf of the Appellant under Section 54 of the Land Acquisition Act, 1894 [hereinafter referred to as "LA Act"] against the judgment dated 05.11.2012 [hereinafter referred to as the "Impugned Judgment"] passed by learned ADJ, South West, New Delhi in LAC No. 86/11/06 titled *Chander Mohan Chopra. v. Union of India & Ors.* The Impugned Judgment has been passed in respect of land acquired in Village Pochanpur, Delhi by Award No.30/2002-2003.



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4. It is the case of the Respondent No.1 that he has $\frac{1}{2}$ share in the land admeasuring 5 bighas 5 biswas bearing Khasra No. 29/2 and $\frac{1}{2}$ share in the land admeasuring 6 bighas 7 biswas bearing Khasra No. 29/4/2 both situated in Block A within the revenue estate of Village Pochanpur, Delhi.
5. A notification No.F10/(3)/96/L & B/LA/13417 dated 13.12.2000, under Section 4 of the LA Act was issued in respect of the aforementioned land, followed by a declaration dated 07.12.2001 under Section 6 of the LA Act.
6. Under the said Award, the Land Acquisition Collector had determined the market value of the aforementioned land at the rate of Rs.13.82 lakhs per acre in Block A and Rs.12.32 lakhs per acre in Block B in addition to the other statutory benefits as envisaged under the LA Act in respect of the land at Village Pochanpur, Delhi.
7. The Respondent No.1 being aggrieved against the said determination of market value of the land by the Collector had filed a reference petition under Section 18 of the LA Act before the learned Trial Court.
8. The learned Additional District Judge, by the Impugned Judgment, allowed the reference petition of the Respondent No.1.
9. The Appellant has challenged the Impugned Judgment by way of the present Appeal.
10. Learned Counsel for the parties jointly submit that the issue involved in the present case is in respect of Village Pochanpur which has already been settled by the Supreme Court by a judgment dated 13.02.2014 passed in Civil Appeal No.2091/2014 (SLP(C) No.18883/2012) captioned ***Impulse***



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11. The Supreme Court in the ***Impulse India*** case found that the compensation awarded to the land losers was not adequate and therefore the compensation so awarded by the High Court was increased. The relevant extract of the ***Impulse India*** case is reproduced below:

“8. We have carefully perused the award(s) passed by the Land Acquisition Officer/Collector, the Reference Court as well as the High Court. In our view, the compensation so awarded by the authorities as well as the High Court is on a lesser side. Therefore, keeping in view the peculiar facts and circumstances of the case, and also other factors, we intend to increase the compensation so awarded by the High Court for Block A lands from Rs 16.50 lakhs to Rs 21 lakhs per acre and from Rs 14.60 lakhs to Rs 19 lakhs per acre for Block B lands. In the result, we allow the appeals filed by the claimants. We enhance the compensation awarded by the High Court for Block A lands from Rs 16.50 lakhs to Rs 21 lakhs per acre and from Rs 14.60 lakhs to Rs 19 lakhs per acre for Block B lands respectively. This compensation so awarded by us is common to all the lands in Bharthal, Bijwasan, Pochanpur and Dhul Saras Villages. Needless to say that the appellants are entitled to all the statutory benefits provided under the provisions of the Land Acquisition Act, 1894.”

[Emphasis Supplied]

12. Thus, keeping in view the peculiar facts and circumstances of the case and also other factors, the Supreme Court increased the compensation so awarded to Rs.21 lakhs and Rs.19 lakhs for Block A and Block B lands respectively. The aforesaid enhanced compensation was held to be common to all the lands of Villages Bharthal, Bijwasan, Pochanpur and Dhul Saras villages. The Respondent No.1 was also found to be entitled to all the statutory benefits provided under the provisions of the Land Acquisition Act.

13. The case of the Respondent No.1 is covered by the judgment of the Supreme Court as delivered in ***Impulse India*** case. This fact is not disputed



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by learned Counsel for the Appellant.

14. The Appeal is accordingly dismissed in terms of the judgment of the Supreme Court in *Impulse India* case. The pending Application stands closed.

14.1. The Respondent No.1 is at liberty to take appropriate steps in accordance with law in terms of judgment in *Impulse India* case.

15. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

MARCH 6, 2025/jn

Click here to check corrigendum, if any