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

% ***Judgment Pronounced on : 26.09.2025***

\+ **LA.APP. 59/2007 & CM APPL. 13373/2016**

BED RAM .....Appellant

Through: Mr. Dhruv Mehta, Sr. Adv. with Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. Mohd. Sueb Akhtar, Mr. Divakar Kapil, Advocates for UOI.

Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 372/2007**

BHOPAL SINGH .....Appellant

Through: Mr. Dhruv Mehta, Sr. Adv. with Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind

Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 40/2007**

DHARAM VEER .....Appellant

Through: Mr. N.S. Chechi, Mr. Vaibhal Chechi and Ms. Rekha Chauhan, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. Mohd. Sueb Akhtar, Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishanv Kumar, Advocates for DDA.
Ms. Shobhana Takiar, Standing Counsel with Mr. Prateek Dhir, Mr. Kuljeet Singh and Mr. Shivam Takiar, Advocates for DDA.

\+ **LA.APP. 42/2007**

SRI RAM & ANR. .....Appellants

Through: Mr. N.S. Chechi, Mr. Vaibhal Chechi and Ms. Rekha Chauhan, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. Mohd. Sueb

Akhtar, Mr. Divakar Kapil, Advocates for UOI.
Mr. Kartik Jindal, Ms. Palak Gupta, Ms. Supriya Udey, Advocates for DDA.

\+ **LA.APP. 43/2007**

BED RAM .....Appellant

Through: Mr. N.S. Chechi, Mr. Vaibhal Chechi and Ms. Rekha Chauhan, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. Mohd. Sueb Akhtar, Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.
Ms. Shobhana Takiar, Standing Counsel with Mr. Kuljeet Singh, Adv.

\+ **LA.APP. 44/2007**

ATTAR SINGH .....Appellant

Through: Mr. N.S. Chechi, Mr. Vaibhal Chechi and Ms. Rekha Chauhan, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. Mohd. Sueb

Akhtar, Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.
Ms. Kamna Singh, Panel Counsel for DDA.

\+ **LA.APP. 58/2007**

DULI CHAND .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. Mohd. Sueb Akhtar, Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishanv Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind

Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 1143/2008**

UOI & ANR. .....Appellants

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. Mohd. Sueb Akhtar, Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishanv Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

versus

BHOHTI DECEASED THR.LR'S .....Respondent

Through: Mr. Inder Singh, Adv. for Claimants/Land owners.
Ms. Kamna Singh, Advocate for DDA.

\+ **LA.APP. 911/2010**

KEHAR SINGH .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. Mohd. Sueb

Akhtar, Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 338/2015, CM APPL. 2671/2016 & 41910/2016**

FAKIR CHAND (DECEASED) THR LRS & ORS .....Appellants

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. S.A. Khan, Advocate for R-2.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 339/2015 & CM APPL. 11804/2015**

HUKUM SINGH SINCE DECEASED THR LRS & ORS .....Appellants

Through: Mr. R.B. Singh, Mr. Shivansh, Mr. Rajan Sharma, Mr. Deepak Gola, Mr. Krishna Kant, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kartik Jindal, Ms. Palak Gupta, Ms. Supriya Udey, Advocates for DDA.

\+ **LA.APP. 144/2019**

PRAKASH & ORS .....Appellants

Through: Mr. Dhruv Anand, Mr. Dhananjay Khanna, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Kritika Gupta, Advocate for DDA.

\+ **LA.APP. 230/2022**

SALEK RAM (DECEASED) THR LRS & ORS. .....Appellants

Through: Appearance not given.

versus

UNION OF INDIA & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Anuj Chaturvedi, Ms. Harshita Maheshwari, Advocates for DDA.

\+ **LA.APP. 366/2022, CM APPL. 52464-65/2022**

SITA RAM (DECEASED) THR. LR CHAVAN & ANR.

.....Appellants

Through: Mr. N.S. Chechi, Mr. Vaibhal Chechi and Ms. Rekha Chauhan, Advocates.

versus

UNION OF INDIA & ORS. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Siddharth Panda, Mr. Ritank and Mr. Anil Pandey, Advocates for UOI.

Mr. Akhil Mittal, ASC with Ms. Navita Gupta, Mr. Sidhant Garg, Advs. for DDA.

Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 61/2007**

KESAR SINGH & ORS. .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

Mr. Prashant Katara and Mr. Aman Sinha, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak,

Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 62/2007**

GANGA RAM & ANR .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 63/2007**

SATTO DEVI & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Mr. Sunil Kumar Jha, Mr. M.S. Akhtar, Mr. Mayank Madhu and Mr. Sami Sameer Siddiqui, Advocates for UOI.
Ms. Manisha Agrawal Narain, CGSC with Mr. Shivam Sharma, Mr. Abhishek Kumar, Advocates
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 64/2007**

ANGOORI DEVI (D) THRU. L.R. .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Anuj Chaturvedi, Ms. Harshita Maheshwari, Advocates for DDA.

\+ **LA.APP. 65/2007**

RAJ PAL .....Appellant

Through: Mr. N.S. Chechi, Mr. Vaibhal Chechi and Ms. Rekha Chauhan, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 66/2007**

KAILASH SHARMA & ANR .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind

Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 73/2007**

TEK CHAND .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 87/2007, CM APPL. 808-09/2019**

PRITAM SINGH & ORS. .....Appellants

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UOI & ORS. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Ms. Meghna, Advocate for DDA.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 412/2007**

GIRIRAJ & ORS. .....Appellants

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 89/2007**

BALBIR SINGH .....Appellant

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Pratap Singh Ahluwalia, Advocate for DDA.
Mr. M.K. Singh, Advocate for DDA.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 1234/2008**

HANS RAJ DECD. THR . LR'S .....Appellant

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UOI &ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 1235/2008, CM APPL. 6801/2017 & 16070/2024**

SURYA PRAKASH & ORS. .....Appellants

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 130/2009**

SHRI BHIK RAM .....Appellant

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UNION OF INDIA & ORS. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 607/2009**

NEKI RAM .....Appellant

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UOI .....Respondent

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Sapna Chauhan, Advocate for DDA

\+ **LA.APP. 91/2007**

BHIM SINGH DECD. THR.LR'S & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Kartik Jindal, Ms. Palak Gupta, Ms. Supriya Udey, Advocates for DDA.

\+ **LA.APP. 293/2007**

JAGBIR SINGH .....Appellant

Through: Mr. Anuroop, Mr. Gaurav Bidhuri, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. M.K. Singh, Advocate for DDA.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 72/2016 & CM APPL. 11271/2016**

RAGHUBAR DAYAL @ RAGHUBER SINGH @ RAGHBAR SINGH & ORS .....Appellants

Through: Mr. Y.R. Sharma and Ms. Akshita Sharma, Advocates for LRs of Appellant No.2

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar

and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 335/2008**

MUNSHI DECEASED THROUGH L.R'S & ORS .....Appellants

Through: Mr. Anuroop, Mr. Gaurav Bidhuri, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kartik Jindal, Ms. Palak Gupta, Ms. Supriya Udey, Advocates for DDA.

\+ **LA.APP. 500/2008**

BHARAT SINGH & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 501/2008**

ZILE SINGH (DECEASED) THROUGH L.R'S .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 508/2008**

JAGWATI .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

Mr. Prashant Katara and Mr. Aman Sinha, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 509/2008**

BIR SINGH .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 564/2008**

AMAN SINGH .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 565/2008**

SHASHI VERMA .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.
Mr. Prashant Katara and Mr. Aman Sinha, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 609/2008 & CM APPL. 917/2016**

NIMANT RANA & ORS. .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 631/2008**

DINESH KUMAR & ORS. .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.
Mr. Amit Dhalla and Mr. Sohan Singh Rawat, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.
Mr. Ashok Gurnani, Mr. Manish Kr. Sharma and Mr. Abhishek Singh, Advocates for R-2 to 8.

\+ **LA.APP. 737/2008**

INDER SINGH .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

Mr. Prashant Katara and Mr. Aman Sinha, Advocates.

versus

U.O.I & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.
Ms. Sapna Chauhan, Adv. for DDA

\+ **LA.APP. 739/2008**

RAMESH BASISTHA .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.
Mr. Prashant Katara and Mr. Aman Sinha, Advocates.

versus

U.O.I & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 748/2008, CM APPL. 945/2011, 2181/2011 & 52896/2018**

DAL CHAND & ORS .....Appellants

Through: Appearance not given.

versus

U.O.I & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 816/2008, CM APPL. 12931/2017, 12932/2017, 12933/2017, 36662/2017 & REVIEW PET. 132/2017**

KISHAN SAHAI THRU L.R'S .....Appellant

Through: Mr. D.S. Chauhan, Mr. Pradeep Tokas, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 817/2008**

JAGBIR & ORS .....Appellants

Through: Mr. N.S. Chechi, Mr. Vaibhal Chechi and Ms. Rekha Chauhan, Advocates.

versus

UOI & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 876/2008**

RISHAL SINGH DECD. THR. LR'S .....Appellant

Through: Mr. D.S. Chauhan, Mr. Pradeep Tokas, Advocates.

versus

UOI & ORS. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 966/2008**

RAJ KUMAR .....Appellant

Through: Appearance not given.

versus

UOI & ORS. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 992/2008**

AJEET SINGH .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ORS. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 994/2008, CM APPL. 12577-79/2017, 36659/2017 & REVIEW PET. 128/2017**

HARI SINGH .....Appellant

Through: Mr. D.S. Chauhan, Mr. Pradeep Tokas, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 995/2008**

PREM SINGH .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind

Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 996/2008**

RAJENDER PRASHAD & ORS. .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. Mohd. Sueb Akhtar, Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 1038/2008, CM APPL. 11903-04/2015**

UOI .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. Mohd. Sueb Akhtar, Mr. Divakar Kapil, Advocates for UOI.

versus

KHAZAN SINGH &ORS. .....Respondents

Through: Mr. Inder Singh, Adv. for Claimants/Land owners

+ **LA.APP. 1040/2008**

UOI .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

versus

CHAMPA DEVI DECD. THR.LR'S .....Respondent

Through: Mr. Inder Singh, Adv. for Claimants/Land owners

+ **LA.APP. 1042/2008**

UOI .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

versus

RICHA RAM & ORS. .....Respondents

Through: Mr. Inder Singh, Adv. for Claimants/Land owners

+ **LA.APP. 1043/2008**

UOI .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

versus

PHOOL SINGH & ORS. .....Respondents

Through: Mr. Inder Singh, Adv. for Claimants/Land owners

\+ **LA.APP. 1136/2008**

JASWANT SINGH RANA (DECEASED) THR. LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 1141/2008**

UOI .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

versus

MANSA RAM DECD. THR. LR'S & ORS. .....Respondents

Through: Mr. Inder Singh, Adv. for Claimants/Land owners

\+ **LA.APP. 1142/2008, CM APPL. 42668-69/2023**

UOI .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Ashutosh Kaushik, Mr. Aakash Mohar, Advocates for DDA
Mr. Rahul Chaudhary, Adv. for Claimant
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.
Ms. Manika Tripathy, SC with Mr. Gautam Yadav, Mr. Sanjay Singh Rathore, Advocates

versus

KISHORI @ BHOLA DECD. THR.LR'S & ORS. .....Respondents

Through: Mr. Rahul Chaudhary, Advocate.
Mr. Inder Singh, Adv. for Claimants/Land owners

\+ **LA.APP. 1144/2008**

UOI & ANR. .....Appellants

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind

Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

versus

NATHU & ORS. .....Respondents

Through: Mr. Rahul Chaudhary, Advocate.
Mr. Inder Singh, Adv. for Claimants/Land owners

\+ **LA.APP. 1145/2008**

UOI .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

versus

BALBIR & ORS. .....Respondents

Through: Mr. Rahul Chaudhary, Advocate.
Mr. Inder Singh, Adv. for Claimants/Land owners

\+ **LA.APP. 1146/2008, CM APPL. 11470-71/2015**

UOI .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

versus

HARI KISHAN DECD. THR.LR'S & ORS. .....Respondents

Through: Mr. Neeraj Kumar, Advocate for DDA
Mr. Rahul Chaudhary, Advocate.

Mr. Inder Singh, Adv. for Claimants/Land owners

\+ **LA.APP. 1147/2008**

UOI & ANR. .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

versus

SOHAN THR.HIS LR'S .....Respondent

Through: Mr. Rahul Chaudhary, Advocate.
Mr. Inder Singh, Adv. for Claimants/Land owners

\+ **LA.APP. 1148/2008**

UOI .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

versus

KHAZAN SINGH DECD. THR. LR'S .....Respondent

Through: Mr. Rahul Chaudhary, Advocate.
Mr. Inder Singh, Adv. for Claimants/Land owners

\+ **LA.APP. 1204/2008**

DEVENDER KUMAR TRIGUNA .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 1238/2008**

CHINTA .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

Mr. Prashant Katara and Mr. Aman Sinha, Advocates.

versus

UOI & ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 89/2009**

OM PRAKASH (SINCE DECEASED) THROUGH LRS .....Appellant

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UOI & ORS. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Anuj Chaturvedi, Ms. Harshita Maheshwari and Mr. Mohit Sharma, Advocates.
Ms. Sapna Chauhan, Adv. for DDA

\+ **LA.APP. 528/2009**

SHER SINGH (DECEASED) THR. LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.
Mr. Prashant Katara and Mr. Aman Sinha, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 550/2009**

GUNI RAM DECD THR LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Neeraj Kumar, Advocate for DD

\+ **LA.APP. 551/2009**

RANJIT KUMAR TRIGUNA .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 552/2009**

JAGDIP KUMAR TRIGUNA .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 553/2009**

BAHADUR DECD THR LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Ms. Kamna Singh, Advocate for DDA.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 556/2009**

ATTAR SINGH DECD THR LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind

Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 559/2009 & CM APPL. 41913/2019**

PEHLAD .....Appellant

Through: Mr. R.B. Singh, Mr. Deepak Gola and Mr. Shivam Wadhwa, Advocates.
Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 560/2009 & CM APPL. 14064/2015**

AJIT SINGH .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.
Mr. Prashant Katara and Mr. Aman Sinha, Advocates.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 576/2009 & CM APPL. 14065/2015**

NARENDER KUMAR TRIGUNA .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 580/2009, CM APPL. 14066/2015**

KESAR SINGH & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.
Mr. Prashant Katara and Mr. Aman Sinha, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar

and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 595/2009 & CM APPL. 14010/2015**

PREM RAJ & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.
Mr. Prashant Katara and Mr. Aman Sinha, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 618/2009, CM APPL. 11472-73/2015**

BADLEY .....Appellant

Through: Mr. Inder Singh, Adv. for Claimants/Land owners

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Gaganmeet Singh Sachdeva, Mr. Harpreeet Singh Chadha, Advocates for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 647/2009, CM APPL. 8877-79/2025**

MEHAR CHAND & ORS .....Appellants
Through: Mr. Anuroop, Mr. Gaurav Bidhuri, Advocates.

versus

UNION OF INDIA & ANR .....Respondents
Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kartik Jindal, Ms. Palak Gupta, Ms. Supriya Udey, Advocates for DDA.

\+ **LA.APP. 650/2009**

PREM RAJ & ORS .....Appellants
Through: Mr. Anuroop, Mr. Gaurav Bidhuri, Advocates.

versus

UNION OF INDIA & ANR .....Respondents
Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar

and Mr. Divakar Kapil, Advocates for UOI.
Mr. Kartik Jindal, Ms. Palak Gupta, Ms. Supriya Udey, Advocates for DDA.

\+ **LA.APP. 101/2010, CM APPL. 14013/2015**

RATTO DEVI DECD THR LRS & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 253/2010 & CM APPL. 14060/2015**

RAM PAT .....Appellant

Through: Mr. S.K. Rout, Ms. Parmita Nath, Ms. Alka Singh, Mr. Naveen K., Advocates.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 263/2010 & CM APPL. 14068/2015**

RAMESH & ANR .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 264/2010 & CM APPL. 14069/2015**

HARI SINGH DECD THR LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

Mr. Prashant Katara and Mr. Aman Sinha, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 311/2010, CM APPL. 14014/2015 & 6488/2017**

MAMRAJ & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 314/2010**

LAKHMI CHAND & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Gagandeep Sachdeva, Mr. Harshpreet Singh Chadha & Mr. Hardesh Khanna, Advs. for DDA.

\+ **LA.APP. 315/2010 & CM APPL. 14063/2015**

JAGGAN & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 316/2010 & CM APPL. 14062/2015**

RAMESH DECD THR LRS & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA.

\+ **LA.APP. 380/2010**

KESAR SINGH & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.
Mr. Prashant Katara, Mr. Aman Sinha, Advocates.

versus

UOI .....Respondent

\+ **LA.APP. 678/2010 & CM APPL. 14058/2015**

SHRI CHANDERMAN @ CHANDER SINGH .....Appellant

Through: Appearance not given.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA

\+ **LA.APP. 679/2010, CM APPL. 12927-29/2017, 36664/2017 & REVIEW PET. 131/2017**

RAM SINGH DECD THR LRS & ORS .....Appellants

Through: Mr. D.S. Chauhan, Mr. Pradeep Tokas, Advocates.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Roshan Lal and Mr. Bhuvan Goel, Advocates for DDA.

\+ **LA.APP. 682/2010 & CM APPL. 14067/2015**

MOOL CHAND DECD THR LRS .....Appellant

Through: Appearance not given.

versus

UNION OF INDIA .....Respondent

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA

\+ **LA.APP. 683/2010**

YASH PAL & ORS .....Appellants

Through: Mr. D.S. Chauhan, Mr. Pradeep Tokas, Advocates.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Ms. Nain Singh, Advocates for DDA

\+ **LA.APP. 699/2010**

NAIN SINGH THR LRS .....Appellant

Through: Appearance not given.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak,

Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Manika Tripathy, Standing Counsel with Mr. Prabhav Ralli, Mr. Devvrat Arya, Ms. Deeya Mittal, Advocates for DDA

\+ **LA.APP. 765/2010 & CM APPL. 14073/2015**

DAL CHAND & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA

\+ **LA.APP. 827/2010 & CM APPL. 14012/2015**

BHOOP SINGH DECD THRU LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA

\+ **LA.APP. 1070/2010, CM APPL. 14080/2015, 37746-47/2022**

RAM KISHAN DECD THRU LRS & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA

\+ **LA.APP. 15/2011 & CM APPL. 14081/2015**

MUSSADI DECD THR LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA

\+ **LA.APP. 29/2011**

DAL CHAND & ANR .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA .....Respondent

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 39/2011**

UMA DHOWAN & ORS .....Appellants

Through: Mr. Inder Singh, Adv. for Claimants/Land owners

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Tushar Sannu, Panel Counsel with Mr. Sourav Verma, Advocate for DDA.

\+ **LA.APP. 54/2011**

KARAN SINGH .....Appellant

Through: Mr. Brijesh Chaudhary, Mr. Prins Kumar, Advocates

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. M.K. Singh, Advocate for DDA.

\+ **LA.APP. 140/2011, CM APPL. 14071/2015, 15510-11/2025**

RANJEET SINGH DECD THR LRS .....Appellant

Through: Mr. S.K. Rout, Ms. Parmita Nath, Ms. Alka Singh, Mr. Naveen K., Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA

\+ **LA.APP. 155/2011 & CM APPL. 14070/2015**

JASPAL SINGH (DEC) THRU.LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA

\+ **LA.APP. 156/2011 & CM APPL. 14011/2015**

BED RAM .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Shobhana Takiar, Standing Counsel with Mr. Kuljeet Singh, Advocate.

\+ **LA.APP. 251/2011 & CM APPL. 14015/2015**

HARI CHAND .....Appellant

Through: Mr. N.S. Chechi, Mr. Vaibhal Chechi and Ms. Rekha Chauhan, Advocates.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA

\+ **LA.APP. 708/2011 & CM APPL. 3077/2017**

LEKH RAM .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA

Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 716/2011**

GOPAL SINGH & ORS .....Appellants

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 5/2012, CM APPL. 33879-80/2024**

SURJAN & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ORS .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 6/2012**

GIAN CHAND DECD THR LRS & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.
Ms. Nidhi Raman, Advocate for R-2/DDA.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Nidhi Raman CGSC with Mr. Arnav Mittal, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA

\+ **LA.APP. 10/2012 & CM APPL. 44574/2022**

ANANT RAM & ANR .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar

and Mr. Divakar Kapil, Advocates for UOI.
Ms. Kritika Gupta, Advocate for DDA.

\+ **LA.APP. 13/2012**

BUDHAN DECD THRU LRS .....Appellant
Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ORS .....Respondents
Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 37/2012 & CM APPL. 14072/2015**

DAROGA DECD THR LRS & ORS .....Appellants
Through: Mr. N.S. Chechi, Mr. Vaibhal Chechi and Ms. Rekha Chauhan, Advocates.

versus

UNION OF INDIA & ORS .....Respondents
Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA

\+ **LA.APP. 218/2012**

NET RAM THROUGH LRS AND ANR .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI AND ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA

Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 223/2012**

HARI SINGH THROUGH LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI AND ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA
Mr. Tarunvir Singh Khehar and Ms. Guneet B. Khehar, Advocates for DDA.

\+ **LA.APP. 49/2013, CM APPL. 5014-15/2019**

SAMARTA LRS AND ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI AND ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA

\+ **LA.APP. 51/2013 & CM APPL. 14061/2015**

NET RAM .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI AND ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar

and Mr. Divakar Kapil, Advocates for UOI.
Ms. Mrinalini Sen, Ms. Lucy Lalrentlaungi, Advocates for DDA

\+ **LA.APP. 85/2015 & CM APPL. 2272/2015**

LAKHMI CHAND & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 86/2015, CM APPL. 2282/2015 & 19952/2023**

JUGAL KISHORE & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.
Mr. Gaurav Kakar and Mr. Lakshay Raheja, Advocates for LR of Appellant No.1.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 390/2015**

VIRENDER SINGH (SINCE MISSING) THR LRS & ORS .....Appellants

Through: Mr. R.B. Singh, Mr. Deepak Gola and Mr. Rajan Sharma, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Latika Malhotra, Mr. Govind Kumar, Mr. Apurv Kumar, Ms. Anamika, Advocates for DDA.

\+ **LA.APP. 423/2015**

HARI KISHAN (DECEASED) THR LEGAL HEIRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA

\+ **LA.APP. 426/2015**

NATHU (DECEASED) THR LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Sanjay Poddar, Sr. Advocate with Ms. Latika Malhotra, Advocate for DDA

\+ **LA.APP. 445/2015**

NATHU (DECEASED) THR LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 14/2016 & CM APPL. 354/2016**

NAIN SINGH (DECEASED) THR HIS LRS .....Appellant

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UNION OF INDIA .....Respondent

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 18/2016**

MAHIPAL (DECEASED) THR LRS .....Appellant

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Siddharth Panda, Mr. Ritank and Mr. Anil Pandey, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 19/2016**

CHHATTAR SINGH .....Appellant

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Latika Malhotra, Advocate for DDA.
Mr. Siddharth Panda, Mr. Ritank and Mr. Anil Pandey, Advocates for UOI.

\+ **LA.APP. 173/2016 & CM APPL. 9203/2020**

RAM SAROOP THROUGH LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UOI AND ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 196/2016, CM APPL. 37755/2018 & 28909/2024**

BUDH RAM @ BUDH SINGH (DECEASED) THR LRS & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.
Mr. Ravi Dutt Sharma, Mr. Rajat Sharma, Ms. Ruchika Sharma and Mr. Chetan Sharma, Advocates for LR III (a & c)

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 292/2016 & CM APPL. 37754/2018**

HARI KISHAN SHARMA & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Neeraj Kumar, Advocate for DDA.

\+ **LA.APP. 11/2017 & CM APPL. 942/2017**

SHASHI KUMAR .....Appellant

Through: Mr. R.B. Singh, Mr. Rajan Sharma Mr. Deepak Gola and Mr. Shivansh, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel

with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 256/2017**

POOJA .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Ms. Latika Malhotra, Advocate for DDA

\+ **LA.APP. 287/2017 & CM APPL. 31509/2017**

MEHAR CHAND & ORS .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA

Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 131/2018**

UNION OF INDIA .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Siddharth Panda, Mr. Ritank and Mr. Anil Pandey, Advocates for UOI.
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

versus

MANMCHAND (DEC) THR LRS & ORS .....Respondents

Through: Appearance not given.

\+ **LA.APP. 204/2018**

OM PARKASH (DECEASED) THR LRS .....Appellant

Through: Mr. Anuroop, Mr. Gaurav Bidhuri, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Gaurav Dua and Mr. Govil Upadhyay, Advocates for DDA.

\+ **LA.APP. 209/2018**

VIRENDER & ANR .....Appellants

Through: Appearance not given.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak,

Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

\+ **LA.APP. 245/2018, CM APPL. 54192-94/2018**

UNION OF INDIA .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Siddharth Panda, Mr. Ritank and Mr. Anil Pandey, Advocates for UOI.
Mr. Tushar Gupta, Mr. Parinay Gupta, Advocates for DDA
Mr. Kunal Sharma, Mr. Vaishnav Kumar, Advocates for DDA

versus

BUDH RAM @ BUDH SINGH (DEC) THR LRS & ORS .....Respondents

Through: Mr. Tushar Gupta and Mr. Parinay Gupta, Advocates for DDA.

\+ **LA.APP. 246/2018, CM APPL. 54324-26/2018**

UNION OF INDIA .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Siddharth Panda, Mr. Ritank and Mr. Anil Pandey, Advocates for UOI.

versus

HAR KISHAN (DEC) THR LRS & ORS .....Respondents

Through: Mr. Neeraj Kumar, Advocate for DDA.

\+ **LA.APP. 247/2018, CM APPL. 54360-62/2018**

UNION OF INDIA .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Siddharth Panda, Mr. Ritank and Mr. Anil Pandey, Advocates for UOI.

Mr. Roshan Lal Goel and Ms. Anju Gupta, Advocates for R-2.

versus

RAM SAROOP (DEC) THR LRS & ORS .....Respondents

Through: Mr. Roshan Lal Goel and Ms. Anju Gupta, Advocates for DDA.

Mr. Roshan Lal Goel, Mr. Bhuvan Goel, Advocates for DDA.

\+ **LA.APP. 4/2019, CM APPL. 1666-68/2019**

UNION OF INDIA .....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.

Mr. Siddharth Panda, Mr. Ritank and Mr. Anil Pandey, Advocates for UOI.

versus

RAGHUBAR DAYAL @ RAGHBAR SINGH & ORS...Respondents
Through: Ms. Kamna Singh, Advocate for DDA.

\+ **LA.APP. 49/2019, CM APPL. 16601/2019, CM APPL.16603-04/2019**

UNION OF INDIA .....Appellant
Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Siddharth Panda, Mr. Ritank and Mr. Anil Pandey, Advocates for UOI.

versus

HANSO (DECEASED) THR LRS & ANR .....Respondents
Through: Mr. Sanjay Kumar Poddar, Sr. Adv. with Ms. Mrinalni Sen, SC with Ms. Shivangi Bhasin and Ms. Gauri Shyam, Advs. for DDA
Ms. Prity Sharma, Advocate for DDA.

\+ **LA.APP. 130/2019, CM APPL. 38327-28/2024**

DAL CHAND SHARMA & ORS .....Appellants
Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents
Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel

with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Tarunvir Singh Khehar and Ms. Guneet B. Khehar, Advocates for DDA.
Mr. Neeraj Kumar and Mr. Kartik Garg, Advocates.

\+ **LA.APP. 137/2019 & CM APPL. 38884/2019**

BHOOP SINGH (DECEASED) THR LRS .....Appellant

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA & ANR .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Sanjay Poddar, Sr. Advocate with Ms. Mrinalini Sen, Standing Counsel with Ms. Shivangi Bhasin, Advocate for DDA
Mr. Tarunvir Singh Khehar and Ms. Guneet B. Khehar, Advocates for DDA.

\+ **LA.APP. 298/2022**

JAI BHAGWAN DECEASED THROUGH HIS LEGAL HEIRS AND ORS. .....Appellants

Through: Mr. Bhagwat Pd. Gupta, Mr. Rajesh Gupta and Mr. Ganga Ram Upadhyay, Advocates.

versus

UNION OF INDIA AND ANR. .....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Divakar Kapil, Advocates for UOI.
Mr. Anuj Chaturvedi, Ms. Harshita Maheshwari, Advocates for DDA.

CORAM:
HON'BLE MS. JUSTICE TARA VITASTA GANJU

JUDGMENT

TARA VITASTA GANJU, J.:

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PREFACE

Since the issues raised in the above captioned appeals are the same, the above Appeals are being disposed of by this common judgment. The present Appeals were heard together with LA.APP. 59/2007 captioned ***Bed Ram v. UOI & Anr.*** being argued as the lead matter with the consent of the parties. For the sake of brevity, the facts are being recorded from the lead matter captioned.

BRIEF FACTS

1. The present Appeal has been filed under Section 54 of the Land Acquisition Act, 1894 [hereinafter referred to as "LA Act"] against the judgment and decree dated 18.10.2006 passed by the Court of Learned ADJ, Tis Hazari Court, Delhi in LAC No. 1 of 2003 captioned ***Bed Ram v. UOI & Anr.*** [hereinafter referred to as "Impugned Judgment"].

2. By the Impugned Judgment the learned Reference Court enhanced the market value of the acquired land from Rs.27,344/- per Bigha, which was awarded by the Land Acquisition Collector [hereinafter referred to as "LAC"] to Rs.89,600/- per Bigha for the acquired land. The learned Reference Court also granted 30% solatium on the value of the land. In addition, it was directed that the Appellant is entitled to 12% interest on the market value of the land and enhanced compensation at rate under Section 28 of the LA Act at the rate of 9% per annum from the date of notification till the date of award or date of dispossession, [whichever is earlier], till the expiry of one year and thereafter @15% per annum.

3. Land was acquired for land development of Delhi in relation to the channelisation of the river Yamuna, by a notification under Section 4 of the

LA Act was issued on 23.06.1989 [hereinafter referred to as the "23.06.1989 Notification"]. The notification sets out in detail that for acquisition of land admeasuring about 3500 hectares of land starting from a point 1 km upstream, Wazirabad Barrage road along eastern Yamuna marginal bund till it meets the boundary of Union Territory upto point it meets newly constructed NOIDA Bridge then along the Northern Boundary of the Bridge upto Agra Canal then along the eastern boundary of Agra canal upto Okhla head-works and along the Eastern Boundary of regularised unauthorised colonies of Batla House Joga Bai, Village Zakir Nagar, Hinrerbad village and then along the eastern boundary of Women Polytechnic, Central Road Research Institute, Kalindi Colony till it meets Ring Road the Eastern Boundary of Ring road till meets Indraprastha Power House then along the Eastern Boundary of Power House and then along the bund upto the point it meets old Railway bridge and then along the road joining Ring Road crossing near Poakey Bridge then along the Ring Road upto 1 km upstream Wazirabad Water Works along the bund upto 1 km then along the imaginary line running parallel to Wazirabad Barrage on the Northern side upto starting point excepting the following land:-

(a) Government land;

(b) Land already notified under Section 4 or under Section 6 of the Land Acquisition Act, 1894 is likely to be acquired under the provisions of the said Act for the purpose above stated.

3.1 Award No. 14/1992-1993 was passed for acquisition of the land admeasuring 2226 Bighas and 5 Biswas situated in village Kilokari. Award No. 18/1992-93 was passed for acquisition of land admeasuring 874 Bighas and 4 Biswas in village Khizrabad. Award No. 16/1992-93 was passed for acquisition of land admeasuring 2009 Bighas and 10 Biswas in village Nangli

Razapur and Award No. 13/1992-93 was passed for acquisition of land admeasuring 1563 Bighas and 18 Biswas in village Garhi Mendu [hereinafter collectively referred to as "acquired land"] as set out in the Table below:

Award No.	Village Area	Area of land acquisitioned by the Award
Award No. 13/1992-93	Garhi Mendu	1563 Bighas 18 Biswas
Award No. 14/1992-93	Kilokari	2226 Bighas and 5 Biswas
Award No. 16/1992-93	Nangli Razapur	2009 Bighas and 10 Biswas
Award No. 18/1992-93	Khizrabad	874 Bighas and 4 Biswas

4. Pursuant thereto, the notifications under Section 6 and Section 17 of the LA Act were issued on 22.06.1990 in respect of the acquired land including at villages Madanpur Khadar, Kilokari, Behlolpur Khadar, Chuck Chilla, Okhla, Jogabai, Nangli Razapur, Khizrabad, Jasola and on 20.06.1990 in respect of village Garhi Mendu. The possession of the acquired land was taken in the year 1995.

5. The Award No.14/1992-93 was passed by the Land Acquisition Collector on 19.06.1992, for land admeasuring 2226 Bighas and 5 Biswa in village Kilokari whereby compensation or market value of the land was ascertained at Rs.27,344/-per Bigha was awarded to the Appellant for the acquired land [hereinafter referred to as "Kilokari Award"]. The LAC took into consideration sale deeds of the land executed during the years 1985-89 and took out the average value thereof at Rs. 18,736/-. In addition, it took into account an office order no. F.9(20)/80-L&B/4313-16 dated 03.05.1990 [hereinafter referred to as "Office Order of 1990"] which came into force from 27.04.1990 and after working out a pro-rata discount, it valued the acquired

land at Rs. 27,334/- per Bigha for the land at village Kilokari.

6. The LAC similarly assessed the value of the land for the villages Khizrabad, Nangli Razapur and Garhi Mendu and passed three separate awards assessing the market value of the land of these villages at a uniform rate of Rs. 27,334/- per Bigha. The reason as assigned by the LAC for the uniform rate was that the purpose of acquisition of all land was the same and all villages were adjacent and contiguous to each other. The village wise details of the four awards are set out below:

Award No.	**Name of Village**	**Kind of Land**
14/1992-93	Kilokari	Sailabi
18/1992-93	Khizrabad	Khadar
16/1992-93	Nangli Razapur	Khadar
13/1992-93	Garhi Mendu	Flooded land

7. Subsequently, by virtue of a notification under Section 48(1) of the LA Act dated 25.01.1995, lands admeasuring 1430 Bighas and 10 Biswas in village Kilokari, Behlolpur Khadar, Nangli Razapur and Chuck-Chilla stood de-notified by the LAC. The reasons as set out by the LAC in its order dated 05.11.2004 for de-notification, was that the lands admeasuring 1430 Bighas and 10 Biswas were submerged or prone to be submerged, and hence were de-notified.

THE HISTORY OF ASSESSMENT

8. In the meantime, being dissatisfied with the low assessment of the market value of the land by the LAC, a reference was filed under Section 18 of the LA Act before the learned Reference Court on 13.07.1992 to submit

that the present market value of the acquired land is about Rs.10,000/- per square yard and the acquired land does not form part of riverbed and that large portion of land of village, Kilokari was acquired in the year 1959 wherein the LAC assessed the market value of the land at Rs 26,000/- per Bigha at that time. It was contended that LAC assessed the market value of acquired land, without taking into account the prices of land and their enhanced value during the period of 30 years between 1959 and 1989, and without considering the prevailing market rate of the area.

9. The Reference Petitions were filed in relation to villages at Kilokari, Nangli Razapur, Khizrabad and Garhi Mendu before the learned Reference Court. The learned Reference Court in terms of the judgment passed in LAC No. 18 of 2005 titled '***Attar Singh v UOI***' [hereinafter referred to as "***Attar Singh*** case"] pertaining to village Khizrabad, allowed the Reference Petitions by an order dated 25.09.2006. The learned Reference Court relying upon the judgment of ***Tindey & Ors v UOI & Anr.***[1] [hereinafter referred to as "*Tindey* case"], increased the compensation awarded to Rs.89,600/- per Bigha.

9.1 Similarly, the Reference Petitions filed in relation to land in the revenue estate of village Kilokari were decided. The lead matter for the village Kilokari is LAC No. 1/2003 titled ***'Bed Ram v. UOI & Anr.'*** [hereinafter referred to as "***Bed Ram Reference Court*** case"] whereby the compensation was increased by the learned Reference Court to Rs. 89,600/- per Bigha by a judgment dated 19.06.1992 based on the judgment in the ***Attar Singh*** case and the ***Tindey*** case.

[1] 1999 SCC OnLine Del 1070

9.2 In respect of Petitions filed for the land acquired at village Nangli Razapur, the learned Reference Court in LAC No. 2/1998 titled ***'Bhopal Singh v. Union of India & Anr.'*** by a judgment dated 29.08.2007 [hereinafter referred to as the "Nangli Razapur Reference Court Judgment"], relied upon the ***Attar Singh*** case and the ***Bed Ram Reference Court*** case to award compensation of Rs. 89,600/- per Bigha.

9.3 So far as concerns the village Garhi Mendu, the learned Reference Court by a judgment dated 26.07.2007 passed in LAC No. 96/1 of 2006 titled ***Khazan Singh v. UOI*** [hereinafter referred to as "***Khazan Singh*** case"] relying on the judgment of ***Smt. Chawli Devi (Deceased) through her LRs v. UOI & DDA*** being LAC No. 334/1 of 2006**,** similarly enhanced the market value of the acquired land from Rs. 27,344/- per Bigha to Rs. 90,102/- per Bigha.

10. As stated above, the learned Reference Court enhanced the market value of the acquired land in all four villages – Kilokari, Nangli Razapur, Khizrabad to Rs.89,600/- per Bigha and for Garhi Mendu Rs. 90,102/- per Bigha. The other antecedent directions such as solatium and interest were also awarded by the learned Reference Court. Aggrieved by this award, the Appellants filed the present Appeals before this Court. By a judgment dated 07.06.2011, a Coordinate Bench of this Court decided a batch of Appeals, including the present Appeal of which the LA APP. 59/2007 captioned ***Bed Ram v. Union of India & Anr.*** was the lead matter to hold that the fair market value of the land acquired in three villages of Kilokari, Khizrabad and Nangli Razapur as set out by the learned Reference Court was correctly determined

at Rs.89,600/- per Bigha. The Coordinate Bench thus dismissed the batch of Appeals including the present Appeal.

10.1 By a separate order dated 07.06.2011 also, the Coordinate Bench of this Court decided the batch of Appeals including LA. APP. 1038/2008 captioned ***UOI. v. Khazan Singh & Ors.*** in respect of village Garhi Mendu, and revised the compensation awarded by the learned Reference Court to Rs. 89,600/- per Bigha as in the case of village Kilokari, Nangli Razapur and Khizrabad.

11. The order(s) dated 07.06.2011, as corrected by order dated 22.07.2011 passed by this Court, were challenged by the Appellant by filing a Special Leave Petition before the Supreme Court being Civil Appeal No. 1939/2012 captioned ***Union of India v. Ram Lal & Ors.*** and connected matters [hereinafter referred to as "SC Judgment"]. The Supreme Court by order dated 13.01.2015 passed two directions with respect to the matters in villages Kilokari, Khizrabad Nangli Razapur and Garhi Mendu. In the first instance, it was held that a Review Petition be filed before the High Court to permit the Appellant to produce additional documents, maps and awards before Single Judge within 30 days. The Court further held that if the Review Petition(s) were filed within 30 days, the Single Judge would consider the same without going into the question of limitation. The relevant extract of the SC judgment is set out below:

> *"2. Briefly stated, the facts in the present appeals and petition are: the lis pertains to the determination of fair market value of lands admeasuring **1536 Bigha 10 biswa in village Garhi Mendu**, belonging to the claimants/respondents herein. The said land was acquired under Section 11 of the Land Acquisition Act, 1894 (for short, "the Act"), by the appellants/petitioner herein for the public purpose of planned development of Delhi.*
>
> *3. **The said land, along with land in three other villages, namely Khirzahad [sic: Khizrabad], Kilolari [sic: Kilokari] and Chak Chilla, was notified** by*

the Government, vide Notification No. F. 9 (1)/89—L&B (i.) issued under ***Section 4(1) of the Act, dated 23.06.1989****. The same was followed by Notification No. F. 9 (I)/89-L&B/LA(ii) & (iii) issued under Sections 6 and 17 of the Act, dated 20.06.1990. In pursuance of the said Notifications, notices under Sections 9 and 10 of the Act were issued to all interested persons.*

4. The Land Acquisition Collector (for short, "the LAC"), took into consideration Order No. F-9(20)/80-L&B/4313-16, issued by the Delhi Administration regarding fixation of minimum price of agricultural land by the LAC, dated 03.05.1990. In light of the aforesaid policy of the State administration the LAC vide Award No. 13/1992-93, determined the compensation to be awarded at the rate of Rs.27,344/- per Bigha along with statutory benefits, dated 19.06.1992.

5. Dissatisfied with the award of the LAC, the respondents herein sought for a reference under Section 18 of the Act for adjudication of the fair market value. It was argued by the claimants that ***the LAC did not consider, inter alia, the potential value of the land, that the revenue estate of the village in which the land was situate was surrounded by posh colonies developed by the Delhi Development Authority and other private colonies, and that all basic civic amenities were available to the land****. The Reference Court, while considering the contentions raised by the parties to the lis, took notice of the award of the LAC with regard to land situate in villages Khizrabad, Kilokari and Chak Chilla, dated 19,06.1992. By the said awards, the LAC had awarded compensation at the rate of Rs.27,344/- per Bigha along with statutory benefits, It was further noticed, by the Reference Court, that a reference had been, sought against the said awards, and* ***consequently, taking into consideration the location, potentiality, nature, topography of the said land, the compensation was enhanced to Rs.89,600/- per bigha****.*

xxx xxx xxx

2. In our considered opinion, ***these facts, as also the maps and relevant documents, may be brought to the notice of the High Court by the appellant(s)/petitioners herein by filing appropriate review petition(s) before the High Court within thirty days' time from today****.*

3. If such review petition(s) is/are filed within the time granted by this Court, we request the learned Single Judge to consider the same in accordance with law, ***but without going into the question of limitation****.*

4. Further, ***in the peculiar facts and circumstances of these cases, we permit the appellant(s)/petitioners herein to produce the additional documents, maps, awards, if any, which are in their possession, before the learned Single Judge along with the said review petition(s)****.*

5. All contentions of the parties are kept open to be agitated before the learned Single Judge."

[Emphasis supplied]

12. Subsequently, several Review Petitions in relation to the acquired land were filed before this Court by the Appellants. By its order dated 13.03.2015, a Coordinate Bench of this Court directed that the decision dated 07.06.2011 is withdrawn *vis-à-vis* the review petitioners and it was directed that the present Appeals would be reconsidered by the roster bench after giving an opportunity to the Appellant/Review Petitioners to place on record further evidence. The relevant extract of the order dated 13.03.2015 is below:

> *"3. The review petitioners, are relying upon a large number of documents which include a few judicial determinations in Land Acquisition References made.*
>
> *4. In ethos with the order passed by the Supreme Court on January 13, 2015, the review petitioners would be entitled to formally lead evidence and prove the documents on which they rely requiring a re-consideration of the matter keeping in light such documents which may be proved.*
>
> *5. Since I am presiding over a Division Bench, it may not be possible to spare time in the near future to record evidence and thereafter decide the issue afresh, as agreed to between the learned counsel for the parties,* ***the review petitions are being disposed of declaring that the decision dated June 07, 2011 is withdrawn vis-a-vis the review petitioners. Land Acquisition Appeals filed by the review petitioners would be re-considered by the roster bench, after giving opportunity to the review petitioners to lead further evidence but limited to proving such documents and judicial orders, which have been filed under cover of the review petition****.*
>
> *6. The Review Petitions stand disposed of."*
>
> [Emphasis supplied]

13. By an order dated 30.07.2015, this Court directed that additional evidence and additional documents be filed in the lead matter i.e., the ***Bed Ram*** case and the other Appellants can rely on these Affidavits and additional documents for other cases. The relevant extract of the order dated 30.07.2015 is set out below:

> *"Counsel for Union of India states that they are in the process of collecting the records and, therefore, seeks an adjournment.*

Upon remand by the Supreme Court with liberty to file additional evidence at the behest of the appellants/claimants, Hon'ble Mr. Justice P. Nandrajog has reviewed his judgment disposing of the appeals on 07.06.2011 and that is how the matter is listed before this Court.

Let one set of additional affidavit and additional documents to be led in evidence be filed in lead case, i.e. LA App No.59/2007, titled Bed Ram v. Union of India. Since the said evidence is sought to be relied by all the other appellants, there is no necessity of filing separate affidavit of evidence in the other cases.

If any of the other appellants wishes to file any additional documents, they may file the same in their respective appeals. However, the counsels shall coordinate and prepare a common compilation of additional documents to be relied upon. ***The compilation shall be filed in the lead case, i.e. LA App No.59/2007, Bed Ram v. Union of India****. Advance copies shall be furnished to counsel for the respondent. This exercise be completed within four weeks.*

Learned counsels state that only documentary evidence of unimpeachable nature is required to be filed…."

[Emphasis supplied]

14. Pursuant thereto, the evidence was led by the Appellants in the ***Bed Ram case*** and the case captioned ***Karan Singh v. Union of India,*** LA.APP. 54/2011 [hereinafter referred to as "***Karan Singh*** case"] for the batch of matters. Affidavits statements of AW1/Kailash Sharma in the ***Bed Ram*** case and AW1/Karan Singh in the ***Karan Singh*** case were filed and they were cross-examined by the Respondents. Evidence was also led by RW1/Ravinder Dang on behalf of Respondent before this Court.

15. Subsequently, by an order dated 26.11.2015, the Court directed that the additional evidence recorded and led in the ***Bed Ram*** case and the ***Karan Singh*** case shall be read in so far as relevant for the remaining Appeals and listed the matters before the Joint Registrar of this Court for recording of evidence.

16. Once the evidence was concluded, these Appeals were listed before this Court in pursuance of the aforegoing decisions of the Supreme Court and the Coordinate Bench.

CONTENTIONS OF THE APPELLANTS

17. Learned Senior Counsel/Learned Counsel for the Appellants have divided their submissions into 3 primary contentions:

(i) location of land and its potentiality;

(ii) submissions of exemplars;

(iii) land being *'Sailabi'* cannot have much potentiality is not a correct analysis.

18. Learned Senior Counsel/Learned Counsel for the Appellants submit that land was assessed by LAC at rate of Rs. 26,000/- in the year 1959. Hence, the Award by LAC in the year 1992 at the rate of Rs. 27,344/- per Bigha was not the fair market value. Learned Senior Counsel/Learned Counsel for the Appellants submit that the Reference Court in the Impugned Judgment had observed that, since the market value of land increases over the years, it is unlikely that prices of land have remained stagnant from the year 1959 when market price was Rs. 26,000/- per Bigha and therefore rate of land would have been 10% per annum from 1959. Learned Senior Counsel/Learned Counsel for the Appellants submit that as per 10% p.a. progressive increase from 1959 to 1989 as observed in the Impugned Judgment the actual market value should be more than Rs. 1000/- per square yard or approximately Rs. 30 lakhs per Bigha. The learned Reference Court on 18.10.2006 passed the Impugned Judgment assessing market value of acquired land at rate of Rs.89,600/- per Bigha as on 23.06.1989. Other antecedents related to the acquired land

pertaining to solatium and interest was also awarded. While assessing market value of acquired land in village Kilokari, the learned Reference Court drew comparison with village Khizrabad stating that both lands stood acquired by same notification and for the same purpose and the location is also within the same vicinity and accordingly awarded the same market value as awarded in ***Tindey case.***

18.1 Learned Senior Counsel/Learned Counsel for the Appellants submit that land of village, Kilokari, Behlolpur Khadar, Nangli Razapur, Chuck-chilla admeasuring 1430 Bigha and 10 biswa was de-notified under Section 48(1) of the LA Act by a gazette notification dated 25.01.1995. On 05.11.2004, order was passed by the LAC assigning reasons that since part of the land was found to be submerged in the river Yamuna land was de-notified. Emphasis is laid on the fact that the land not submerged was retained and acquired by the Respondents and the acquired land in these Appeals forms part of the land.

18.2 It was contended that the Section 4 notification was also the same in respect of land acquired for village Behlolpur Khadar and the compensation awarded by the LAC in this village was enhanced by the learned Reference Court to Rs.2.5 lacs per Bigha in terms of a judgment dated 04.01.2011 passed by the learned Reference Court in LAC 75/2008 captioned ***Smt. Sudesh Bhatia v. Union of India & Anr.***

18.2.1 It was further contended that relying on the testimony of AW-1, Kailash Sharma, that the witness had stated that they had been cultivating the land in question until its acquisition in 1989 and that there was no examination

conducted on the aspect of flooding. In fact, it is stated that the land was irrigated from the water of river Yamuna and not submerged.

18.3 Learned Senior Counsel/Learned Counsel for the Appellants submit that the market value for the land of village, Behlolpur Khadar and Jasola, both acquired under the same notification as the acquired land, has been assessed at rate of Rs. 2.5 lacs per Bigha for Behlolpur Khadar and Rs. 4948/- per sq. yard for Jasola respectively. For the village, Behlolpur Khadar compensation has already been received by the claimants. Reliance is placed upon the judgment of the Supreme Court in ***Union of India v. Bal Ram & Anr***[2] to submit that if the nature and quality of lands is by and large similar to the notified land there should be no interference with respect to the amount of compensation to be awarded. Further reliance is placed upon the judgment of the Supreme Court in the case of ***Om Prakash (D) by LRs & Ors. v. Union of India & Anr***[3] and ***Delhi Development Authority v Rajendra Singh & Ors.***[4] to submit that there should be no discrimination between landowners when land is of similar nature.

18.3.1 It is contended that the acquired land is half a kilometre away from Maharani Bagh and village Jasola is about one kilometre away from village Kilokari while village Behlolpur Khadar is also a part of adjoining village Kilokari, yet a distinction has been drawn by the learned Reference Court in the award for these four villages of Kilokari, Khizrabad, Nangli Razapur and Garhi Mendu without any legal basis.

[2] (2010) 5 SCC 747
[3] (2004) 10 SCC 627
[4] 2009 (8) SCC 582

18.4 Learned Counsel for the Appellant submits that the market value for the acquired land of village, Kilokari cannot be treated differently from the adjacent land of posh colonies such as Maharani Bagh, Kalindi Colony, Siddhartha Nagar Extension, Sunlight Colony, Jiwan Nagar, Desu Colony, Jangpura and Rajdoot Hotel etc. Reliance in this behalf is placed upon the testimony of RW-l, Mr. Ravinder Dang [Naib Tehsildar at office of LAC] and testimony of RW-2, Sh. Rajesh Kumar Chandra [Scientist with Central Ground Water Authority].

18.5 Learned Senior Counsel/Learned Counsel for the Appellants submit that they are also entitled for 12% per annum additional market value under Section 23(1)(A) of the LA Act from the date of award till the date of possession as there is a gap of 3 years from the date of award to possession of the acquired land.

18.6 Learned Senior Counsel/Learned Counsel for the Appellants submit that the acquired land's potential, urban character, and intended acquisition purpose requires a reassessment of market value using a fair and just approach. Learned Counsel clarifies that they are seeking compensation based on actual usage and future potentiality of the acquired land. It is submitted that if the land is capable of being used for building purposes in the near future, its valuation must reflect such capability. Reliance is placed on Clause (4) of Section 24 of the LA Act.

18.7 Relying on the sale deed dated 17.03.1988 [Ex. PW3/1] which references a sale of one Bigha for Rs.2,07,500/- per Bigha, it was contended that the sale deed was proved before the learned Reference Court and that the

witness stood his ground, despite which the learned Reference Court came to a conclusion that the sale deed could not be relied upon.

18.8 The exemplar in respect of village Behlolpur Khadar wherein the compensation was enhanced by the learned Reference Court by its order dated 04.01.2011 to Rs.2.5 lacs per Bigha, was also relied upon to contend that this exemplar was not taken into consideration by the learned Reference Court in the present case. It is further contended that Respondent No.1/UOI has not challenged these findings in respect of village Jasola and Behlolpur Khadar except in two cases[5] and in all other cases, the land owners have received the compensation, thus, parity must be maintained in respect of adjoining adjacent lands with similar potentiality. Learned Senior Counsel/Learned Counsel for the Appellants relies upon the judgment of the Supreme Court in ***K. Periasami Vs. Sub-Tehsildar (Land Acquisition)***[6] to submit that the acquired land is entitled to compensation at the parity with the other lands situated in the same area and acquired by the same notification as the acquired land.

18.9 In addition, reliance has also been placed on the Award No.21/92-93 pertaining to village Jasola wherein the LAC awarded the market value of the land at the rate of Rs.27,344/- per Bigha while the learned Reference Court in LAC No. 224 of 2011 captioned ***Jagdish Gulati v. UOI & Anr.*** decided on 29.11.2011 substantially enhanced the amount to Rs. 4948/- per square yard. It is stated again that even against the present award only two Appeals[7] were

[5] LA.APP. 129/2016 captioned Union of India v. Hari Kishan @ Harkesh (Deceased) Thr. LRs & Ors. and; LA APP. 128/2016 captioned Union of India v. Kesar Singh & Ors.
[6] (1994) 4 SCC 180
[7] LA.APP. 224/2012 captioned Union of India v. Jagdish Gulati and; LA.APP.225/2012 captioned Union of India v. Sadhna Gupta & Anr.

filed again by Respondent No. 1 and compensation to remaining land owners was received in terms of order of the learned Reference Court.

18.10 Lastly, on the aspect of the land being *'Sailabi'* which means submergible, it is contended by the Respondents that the land does not have much potentiality. It is submitted that this submission does not take into account the 1430 Bighas 10 Biswa land which was de-notified by the Respondents, in pursuance of which on 05.11.2004, the LAC passed a detailed order stating that the reasons for the de-notification was that the land was submerged or submergible. It is contended that the remaining land which includes the acquired land was thereafter taken into possession on the recommendation of Respondent No.2/DDA while 1,430 Bigha 10 Biswa land was de-notified. Thus, it is averred by the Appellant that the remaining land which includes the acquired land was clearly not submergible or *'Sailabi'* land. Learned Senior Counsel/Learned Counsel for the Appellants submit that the Reference Court inspected the site on 22.06.2011 and observed that the land as situated in the heart of the city and that the land *"appears to be utilized for agricultural purposes"*.

18.10.1 Relying on the notification dated 13.11.1959 pertaining to village Kilokari, it was contended that at that time a uniform rate of compensation was awarded by the LAC for different types of land, i.e., GM Nala, Sailabi, Chahi and Rosli and compensation of Rs.26,000/- per Bigha was awarded irrespective of the type of land. Learned Counsel contends that LAC has used the term *'Sailabi'* to describe the land pertaining to village Kilokari, the term 'Khadar' to describe the land of village Nangli Razapur and 'Sailabi/Khadar' to describe the land situated in village Behlolpur. Thus, these terms have been

used interchangeably. Since Khadar also means low alluvial land fit for cultivation, the type of land in all three villages is the same, thus the compensation cannot be varied.

18.10.2 The Appellant's witnesses AW1/Kailash Sharma [in LA.APP. 59/2007], in his cross examination has contended that he has never witnessed any flooding or water logging during his lifetime and this is recorded in his statement as given on 23.01.2016.

18.10.3 Reliance is also placed on LA.APP.372/2007 captioned ***Bhopal Singh v. Union of India & Anr.*** [Award No.16/92-93 dated 19.06.1992] [hereinafter referred to as *"**Bhopal Singh*** case"] passed for village Nangli Razapur wherein it is noted that the entire land is being irrigated by the Yamuna River and since it is irrigated, there is no question of the same being *'Sailabi'* in nature.

18.11 Learned Senior Counsel/Learned Counsel for the Appellants have relied upon the judgment of the Supreme Court in ***Anjani Molu Dessai Vs. State of Goa & Anr.***[8] to submit that for calculating compensation highest exemplar is to be considered by the Court and not by averaging the different types of sale prices. Reliance is also placed upon the judgment of the Supreme Court in ***Special Land Acquisition Officer Vs. M.K. Rafiq Saheb***[9] to submit that sale instances of solitary sale deed or small pieces of land can be relied upon while determining the amount of compensation. Learned Senior Counsel/Learned Counsel for the Appellants also relies upon the judgment of the Supreme Court in ***Narendra & Ors. Vs. State of Uttar Pradesh & Anr.***[10]

[8] (2010) 13 SCC 710
[9] (2011) 7 SCC 714
[10] (2017) 9 SCC 426

to submit that benefit of higher compensation should be granted to even those landowners who could not approach the court. Reliance is placed upon the judgment of Coordinate bench of this Court in ***Bedi Ram Vs. Union of India & Anr.***[11] to submit that for determination of market value of land when no sale deed is available principle of escalation is to be applied. Learned Senior Counsel/Learned Counsel for the Appellants further relied upon judgment of the Supreme Court in ***Trishala Jain & Anr. Vs. State of Uttaranchal & Anr.***[12] to submit that concept of guesstimation is to be used for determining the market value of the land when no sale deed is available principle of escalation is to be applied.

CONTENTIONS OF THE RESPONDENT NO.2/DDA

19. Learned Senior Counsel for Respondent No. 2/DDA has contended that LAC in the Award has specifically recorded that the acquired land is situated between two *"Forward Bunds"* and the river Yamuna, and that there were no constructions on the land and only a few trees were found available on the land at the time of its acquisition.

19.1 The LAC relied on an office order dated 03.05.1990 wherein the Government of NCT of Delhi had notified the maximum price of agricultural land in Delhi as Rs. 4.5 lakhs per acre for agricultural land and Rs. 1.5 lakhs per acre for land situated on the riverbed. The fair market value for the land was thus notified by the LAC on 23.06.1989 as Rs. 27,344/- per Bigha on the basis of minimum price as notified on 03.05.1989 given the nature of the land.

[11] 2001 SCC Online Del 325
[12] (2011) 6 SCC 47

19.2 It was further contended that the market value of the land as assessed by learned Reference Court is at Rs. 89,600/- per Bigha. Learned Reference Court gave findings that the acquired land situated in the riverbed on the *"Forward Bund"* will be covered with water during some parts of the year and land may be cultivable for remaining parts of the year. The Appellants/Claimants have failed to lead any evidence to disprove the fact that subject land was not situated in *"Forward Bund"* area. The Learned Reference Court found that the land is not capable of being utilised neither as an agricultural land nor for constructing a building and consequently, cannot be compared with other developed lands. Further, isolated constructions on the acquired land cannot lead to an inference that land can be used for building structures or that the land is comparable to other lands falling outside the *"Forward Bund"* area.

19.3 The Respondents have also relied upon a site inspection report, and photographs of the area and a spot report dated 21.11.2006 which was prepared by the learned Reference Court along with spot note [hereinafter collectively referred to as the "Site Report"]. Relying on this Site Report, it was contended that the site inspection found that the land "appears to be under cultivation". However, when the water level of the Yamuna crosses 204 mark, the land gets submerged in water depending on the amount of discharge from the river. In addition, the Site Report states that there are no substantial developments on the land near the site for agricultural purposes. It is thus contended that the land is unfit for development.

19.4 Learned Senior Counsel for the Respondent No.2 submits that the learned Reference Court by order dated 04.01.2011 had rejected the evidence

relied upon by the Appellants to claim higher compensation. The Appellants had exhibited a sale deed dated l7.03.1988 of land of approximately 1 Bigha sold from village Kilokari for consideration of Rs. 2,07,500/-. Learned Senior Counsel submits that the learned Reference Court held that there was a possibility that the sale deed was executed at inflated prices to claim a higher compensation since it was a known fact that such schemes of acquisition become known to the residents in the locality in advance and prior to the issuance of the notification under Section 4 of the LA Act.

19.4.1 Learned Senior Counsel for the Respondent No. 2 submits that so far as concerns the testimony of PW-3, Mr. Vinod Kumar (purchaser of land), the same is to be rejected as PW-3 himself admits that he was not an income tax payee in 1988 nor did he inform about purchasing a parcel of land for sum of Rs. 2,07,500/- to the income tax authority.

19.5 It was contended that, the testimony of PW-4, Mr. S.P. Singh [Assistant at Office of DDA] cannot be relied upon to assess the market value of the subject land as PW-4 admits in his cross-examination that he was neither aware of the date of notification nor he was aware of the date of the award by which land was allotted to Akshar Dham Mandir, nor the date of acquisition and consequently he cannot be said to be aware of the prevailing market rate of the area. Further, the testimony of PW-5, Mr. Anwar Abbasi [Assistant Manager Toll Plaza, DND Flyway] cannot be relied upon as he failed to prove the authenticity of the Sale agreements and site plans.

19.6 Learned Senior Counsel for the Respondent No.2 submits that Respondent No.1/UOI had adduced 5 sale deeds [Exhibit R1 to R5] in evidence, of land situated in the same area as acquired land and sold around

the same time when the notification was issued. These exhibited sale deeds reflected average market value was at Rs. 18,736/- per Bigha.

19.7 Learned Senior Counsel for the Respondent No.2 contends that burden lies on the Appellants to prove the prevailing market value of the acquired land on the date of notification under Section 4 of the LA Act and to prove that the acquired land had building potentiality. In the event of failure to adduce cogent evidence, the claim ought to have been rejected. Reliance is placed upon the judgment of the Supreme Court in the case of ***Kiran Tandon v Allahabad Development Authority & Anr.***[13] to submit that the burden of proof lies upon the Claimant to prove that the amount of compensation awarded by the Collector is inadequate.

19.8 Learned Senior Counsel for the Respondent No.2 relies on the ***Tindey*** case to submit that when land has similar potentiality and location advantages, it must be similarly valued. The correct approach is to ascertain what a willing vendor and a willing purchaser would reasonably transact at, keeping in mind the principles of fairness and justice. It is well-settled that the burden lies on the claimant to adduce evidence showing that the land has high potential value.

19.9 Learned Senior Counsel for the Respondent No.2 submits that no development has been undertaken on the acquired land and it has no building potentiality because it a *'Sailabi Land'* and is land which is in close proximity to river Yamuna. *'Sailabi'* lands are valued lower than agricultural land due to seasonal inundation. Learned Counsel further states that the Appellant/PW-7, Bed Ram in his testimony has deposed that some portion of the land in

[13] 2004 (10) SCC 745

village Kilokari was developed as New Friends Colony, Maharani Bagh and Kalindi Colony and he admitted that there is no abadi around the petrol pump and the two shops and that there is a drainage in village Kilokari but it is far away from acquired land. Further, testimony of PW-6, Mr. P.K. Meena suggests that land is capable of being used for cultivation only when it is not covered by the Yamuna river.

19.9.1 It is contended that the testimony of AW-1, Mr. Karan Singh in LA APP.54/2011 reflects that he never raised an objection to the term *'Sailabi'* used for the acquired land and he never applied to the MCD seeking sanction of the layout plan for the subject land. Learned Counsel submits that the government did not allow any construction to be raised other than a petrol pump and the two shops of marble on the land of village Kilokari. Learned Counsel submits that all these goes to suggest that subject land has no potential to build structures.

19.10 Learned Senior Counsel for the Respondent No.2 submits that the argument of the Appellants that the subject land falls in the vicinity of posh colonies and hence, a higher amount of compensation should be awarded is misconceived. Learned Senior Counsel further submits that the subject land is prone to water logging and flooding as it was situated in the *"Forward Bund"* area. He further submits that Appellants have not placed on record any evidence to show that the land can be used for agriculture or residential purposes. Further, the Appellant is his testimony has admitted that except for a petrol pump and the two shops, there is no abadi around the subject land and till date there has been no development on the subject land which supports the

fact that subject land is qualitatively distinguishable from the land on which posh colonies are developed.

19.11 Learned Senior Counsel for the Respondent No.2 submits that the land owners have failed to show other comparable sale deeds and that the land owners have failed to show that the acquired land is similar in nature and potentiality to other comparable same village or neighbouring village. Reliance in this behalf is placed upon ***Mohd. Raofuddin v. Land Acquisition Officer***[14].

19.12 Learned Senior Counsel for the Respondent No.2 submits that the Appellants have failed to show any similarity of the acquired land with the lands situated in Jasola or Behlolpur Khadar. Learned Senior Counsel submits that mere contiguity of the acquired land with the other land situated in an urban area is not the acceptable criteria for grant of similar rate. Reliance is placed upon ***Kanwar Singh & Ors v UOI***[15] to submit that the Supreme Court has held that mere contiguity of two villages cannot be adopted to determine the market value of two villages unless similarity and advantages of both the lands are proved.

19.12.1 Learned Senior Counsel for the Respondent No.2 refutes the contention of the Appellants claiming parity with market value of the land situated at village Behlolpur Khadar which has been assessed at Rs. 2.5 lakhs per Bigha in case of ***Smt. Sudesh Bhatia v UOI & Anr***.; LAC No.75/2008 and Village Jasola at Rs. 4,948 per sq. yard in the case of ***Jagdish Gulati v. UOI***; LAC No. 224/11. Learned Senior Counsel submits that market value of

[14] (2009) 14 SCC 367
[15] 1998 (8) SCC 136

the land assessed, as mentioned above, by the learned Reference Court was made by ignoring and overlooking the market value as determined by this Court and thus is a nullity. It is further contended that the learned Reference Court ought to have balanced the public interest and private interest while determining market value rate. Reliance is placed on the case of ***Periyar & Pareekanni Rubbers Ltd. v State of Kerala***[16] to submit that lands must be assessed at fair and reasonable market value of the land and too much emphasis on claimant's right to compensation would place a heavy burden upon the public exchequer.

19.13 Learned Senior Counsel for the Respondent No.2 places reliance upon the judgment of the Supreme Court in the case of ***UP Awas Evam Vikas Parishad v Asha Ram (dead) through LRs and Others***[17] to submit that market value of land must be determined based on comparable sale instances that are proximate in time and location to the acquisition notification.

19.14 Learned Senior Counsel for the Respondent No.2 submits that even if acquired land lies near Yamuna River and building structures is presently prohibited due to environmental regulations, potentiality of the land must still be assessed. However, there is no material on record showing development on the subject land on the date of the notification or at the time of possession of the land. No evidence has been led showing any application made for change of land use from agricultural to residential purposes, nor is there any such prayer in the documents on record. Learned Counsel submits that mere proximity to developed colonies cannot by itself establish potentiality. Once the land is found to lack building potentiality, no benefit of higher

[16] 1991 (4) SCC 195
[17] 2021 (17) SCC 289

compensation can be granted. Therefore, it is contended that there is no infirmity in the market value of the land as fixed by the learned Reference Court i.e. Rs. 89,600/- per Bigha.

CONTENTIONS OF THE RESPONDENT NO.1/UOI

20. Learned Counsel for the Respondent No. 1 submits that no evidence has been brought on record by the Appellants to attribute any building potentiality to the acquired land. Learned Counsel submits that in order to determine the market value of the acquired land, the building potentiality of the land must be considered. However, no material has been brought on record to show any development on the acquired land either on the date of the notification or on the date of possession of the land.

20.1 Learned Counsel for Respondent No. 1 submits that as per the Delhi Land Reforms Act, 1954 [hereinafter referred to as "DLR Act"], permission from the authority is mandatory to change the nature of land use and no such permission for change of land use from agriculture to building purposes has been brought on record by the Appellants to evidence any "change of user" application.

20.2 Learned Counsel for Respondent No. 1 has reiterated the contentions as set out by Respondent No. 2 that while awarding the compensation, the LAC/learned Reference Court has to ascertain the market value of the land keeping in mind what a willing vendor may reasonably except to obtain from a willing purchaser. Reliance in this regard is placed upon the judgment of the Supreme Court in the case of the Supreme Court in the ***Periyar*** case.

20.3 Learned Counsel for Respondent No.1 submits that the learned Reference Court while passing the Impugned Judgment has correctly relied upon ***Tindey*** case, wherein the land of village, Khizrabad was held to have no building potentiality at the relevant time i.e., at the time of publication of the notification and the amount of compensation was awarded accordingly.

20.4 Learned Counsel for Respondent No. 1 submits that the evidence led by the Appellants at best supports that acquired land is used for agriculture purposes only and not for construction of a building. Acquisition of the land for building purposes cannot be sufficient circumstance to presume land has building potentiality. Accordingly, the acquired land has no building potentiality and hence, no additional compensation should be granted.

REJOINDER BY APPELLANTS

21. Learned Senior Counsel/Learned Counsel for the Appellants submit that the characterisation of the land as *'Sailabi'* does not *per se* negate its development potential. Learned Senior Counsel/Learned Counsel for the Appellants submit that out of total acquired land, pockets of land may have been prone to flooding but not the entire acquired land. Siddharth Nagar and Ganga Vihar, similarly situated as acquired land, have been fully developed. Therefore, the argument that *'Sailabi'* lands lacks potentiality is untenable.

21.1 Learned Senior Counsel/Learned Counsel for the Appellants submit that the land which was not submerged by the river Yamuna was retained and not de-notified in terms of the notification under Section 48(1) of the LA Act on 25.01.1995. It is contended that the possession was taken by the

Respondents and hence the argument of the Respondents that the entire land being '*Sailabi'* land cannot be used for development purposes is misplaced.

21.2 Learned Senior Counsel/Learned Counsel for the Appellants submit that for market value of land to be assessed at higher value, reliance is placed upon testimony of PW-3/Mr. Vinod Kumar (land purchaser) who purchased 1 Bigha and 1 biswa of land in village Kilokari through Sale deed dated l7.03.1988 for consideration of Rs. 2,07,500/- [hereinafter referred to as "17.03.1988 Exemplar"]. The sale deed is dated one year and three months prior to the date of notification of the subject land and is thus a relevant exemplar. The allegation that the sale deed is inflated to secure higher compensation is without basis. Learned Senior Counsel/Learned Counsel for the Appellants clarify that only one Bigha or 3,025 square yards was purchased by PW-3, and the transaction stands unimpeached and the criticism regarding the purchaser not being an Income Tax payee is irrelevant and speculative.

21.3 Learned Senior Counsel/learned Counsel for the Appellants submit that the 17.03.1988 Exemplar was rejected by the learned Reference Court on assumption that landowners had prior knowledge about the acquisition, which is not correct. In this regard, learned Senior Counsel/learned Counsel for the Appellants places reliance upon the judgment of the Supreme Court in ***Mahamaya General Finance Company v. State of Uttar Pradesh & Ors.***[18] wherein a similar speculative finding that the Appellants had prior knowledge of the acquisition which was adopted by the learned Reference Court without any reasons, was disapproved by the Supreme Court.

[18] (2014) 15 SCC 290

21.4 Learned Senior Counsel/Learned Counsel for the Appellants submit that testimony of PW2/Gopal Singh is not being relied upon. The emphasis is only upon the testimony of PW3, in relation to the 17.03.1988 Exemplar, which testimony remains unimpeachable.

21.5 Learned Senior Counsel/learned Counsel for the Appellants further reiterates that the land in Behlolpur Khadar which even as per the map and rough location plan relied upon by the Respondents is a village bordering Kilokari and that the learned Reference Court gave a finding enhancing the compensation of the said land to Rs. 250/- per sq. yd./Rs. 2.5 lacs per Bigha [approximately] and the same compensation must be awarded to village Kilokari, village Nangli Razapur and village Khizrabad.

21.6 Learned Senior Counsel/learned Counsel for the Appellants further distinguished the ***Tindey*** case. It was submitted that the ***Tindey*** case was based in respect of Section 4 notification of 1976 whereas the notification in the present case is of 1989. The other distinction sought to be drawn was that the ***Tindey*** case was related to village Khizrabad, whereas the present case is of village Kilokari. In addition, it was submitted that in the ***Tindey*** case, there is a clear finding of the Court that no evidence was led and thus, the Coordinate Bench of this Court relied upon in earlier notification and added escalation at the rate of 12% per annum to arrive at the final value given the fact that there were exemplars provided. No reliance could have been placed by the learned Reference Court in the ***Tindey*** case.

SUR-REJOINDER

22. A brief Sur-Rejoinder was given by the learned Senior Counsel for Respondent No. 2 to contend that there is no denial that the acquired land is situated between two *"Forward Bunds"* and the river and thus, any distinction cannot be sought to be drawn between the acquired land and the land which was de-notified under Section 48 of the LA Act on 25.01.1995. In addition, it was contended that there is no evidence was led by the Appellants to show future building potentiality.

THE IMPUGNED JUDGMENT

23. As stated above, the Kilokari Award was passed on 19.06.1992 by the LAC for the acquisition of land admeasuring 2226 Bighas and 5 Biswas situated in the revenue estate of village, Kilokari for development of Delhi channelization of river Yamuna. The LAC while assessing the market value relied upon various similar awards passed for the land within the vicinity of the acquired land and also relied upon the Office Order of 1990 wherein the minimum price for agricultural land had been fixed at Rs. 1.5 lacs per acre as on 27.04.1990 and treating the land as '*Sailabi*' land situated between two "*Forward Bunds"* by discounting 15% per annum, LAC assessed the market value at Rs. 27,344/- per Bigha.

23.1 Similarly, the award no. 18/1992-93 was passed for acquisition of 874 Bighas and 4 Biswas situated in the revenue estate of village Khizrabad [hereinafter referred to as 'Khizrabad Award']. The LAC similarly taking into consideration the Office Order of 1990 and discounting it as in the Kilokari Award, assessed the fair market value for the land at Rs. 27,344/- per Bigha.

23.2 The award no. 16/1992-93 for land admeasuring 2009 Bighas and 10 Biswas situated in the revenue estate of village Nangli Razapur as notified was also passed on 19.06.1992 [hereinafter referred to as 'Nangli Razapur Award']. The LAC found that the kind of soil was Khadar and assessed the market value of the land, as it did in the case of Kilokari and Khizrabad Award as Rs. 27,344/- per Bigha.

23.3 In the case of land situated in the revenue estate of Garhi Mendu, the award no. 13/1992 was passed in the acquisition of 1563 Bighas and 18 Biswas in the revenue estate of Garhi Mendu [hereinafter referred to as 'Garhi Mendu Award']. The classification in the Garhi Mendu Award of the land was of flooded land and the LAC assessed the market value of the land at Rs. 27,344/- per Bigha.

23.4 The Appellants challenged this determination by filing a Reference Petitions under Section 18 of the LA Act. The Appellants claimed the value of acquired land at about Rs 10,000/- per square yard and averred that the land is not situated under the riverbed.

23.5 The following issues were framed by the learned Reference Court in ***Attar Singh*** *case* and ***Bed Ram Reference Court*** case:

(i) Whether the provisions of the DLR Act is applicable to the land in dispute, if so, to what effect?

(ii) What was the market value of the acquired land as on the date of issuance of notification under section 4 of the Land Acquisition Act, 1894?

(iii) To what enhancement in compensation, the Appellant is entitled to?

23.6 An additional issue was framed by the learned Reference Court in the ***Bhopal Singh*** case, which is reproduced below:

> *"(i) Whether the petitioner is entitled to amount u/s 23(1)A of the LA Act with respect to Khasra nos. of which the possession has been taken subsequently, for the period during which the proceedings for the acquisition of land were held up on account of any stay or injunction?"*

23.7 No evidence was led by the Respondent No.2/DDA in his support before the learned Reference Court. However, evidence in support of their contentions was led by the Appellant and the Respondent No.1/UOI.

23.8 The learned Reference Court held that no evidence has been led by the Appellant to show acquired land was not situated in *"Forward Bund"* area and hence it cannot be compared with other lands. It was held that the land in village, Khizrabad and acquired land both fall in the *"Forward Bund"* area and are comparative lands. Since the rate of land in village, Khizrabad has been assessed at rate of Rs. 89,600/- per Bigha and is *'Sailabi'* land in LAC No. 13 of 2004 titled '***Sri Ram v. UOI***', LAC No. 18 of 2005 titled *'**Attar Singh v UOI**'* and LAC No. 19 of 2005 titled *'**Bed Ram Vs. UOI**'* has also been assessed at the rate Rs. 89,600/- per Bigha, the acquired land being similarly situated is assessed at the same rate. Learned Reference Court also relied on the judgment passed by this Court in ***Tindey*** case for village Khizrabad, to give a finding that the market value of the acquired land to be Rs. 89,600/- per Bigha. Other antecedent directions were also passed with respect to solatium and interest in terms of judgment of the Supreme Court in ***Sunder v UOI***[19].

[19] (2001) 7 SCC 211

24. Before the learned Reference Court, the Appellant had argued that village Kilokari is near the posh areas of New Friends Colony, Jamia Islamia University and Jasola village and that there was no evidence to show that the land was not situated in a *"Forward Bund"* area. Reliance was also placed by the Appellant on the judgment in ***Dhoomi Singh & Anr. v. UOI***[20] wherein this Court enhanced the compensation of the land acquired for village Jasola by Rs.2,240/- per square yard, which was land acquired in village Kilokari by an Award in 1981.

24.1 The Respondents/DDA and UOI on the other hand had contended that the DLR Act is applicable to the acquired land and had also relied on exemplars of the land to submit that the LAC had correctly assessed the valuation for the acquired land at Rs.27,344/- per Bigha.

25. The learned Reference Court gave a finding that the DLR Act was not applicable to the acquired land. It further relied upon the sale deeds/exemplars as placed on record by the Appellant and the Respondent/DDA the details whereof are set out below:

Appellants:

S.No.	Ex.No.	Date of Sale deed	Village	Area of land	Total Consideration with stamp duty
1.	Ex.P1	17.03.1988	Kilokari	1 Bigha 1 Biswa	2,07,500/-

[20] Judgment dated 19.10.2001 in RFA 408/1986 – Delhi High Court

Respondents:

S.No.	Ex.No.	Date of Sale deed	Village	Area of land	Total Consideration with stamp duty
1.	Ex.R1	6.4.87	Kilokari	1 Bigha	43,200/-
2.	Ex.R2	1.11.85	Kilokari	1 Bigha 9 Biswa	52,920/-
3.	Ex.R3	9.9.83	Kilokari	1 Bigha	2,160/-
4.	Ex.R4	28/31.3.84	Kilokari	5 Bigha 12 Biswa 1 Bigha 13 Biswa	15,120/-
5.	Ex.R5	28/31.3.84	Kilokari	9 Bigha	19,440/-

25.1 The learned Reference Court further held that the land is situated in the *"Forward Bund"* in river bed and is *'Sailabi'* in nature. The learned Reference Court found that the exemplar given by the Appellant did not appear to be reliable while Ex. R2 to R5 also appear that they have been undervalued to save stamp duty. The learned Reference Court then relied on the judgment in the ***Tindey case*** as assessed in terms of the Award No. 19/1992-93 which was also notified along with village Kilokari and granted compensation at the same rate as was granted for village Khizrabad in the ***Tindey case*** at Rs.89,600 per Bigha. The relevant extract of the findings in the Impugned Judgment is below:

> *"...17. In the present case the land under acquisition is also located in* ***forward bund in river bed and appears to be similarly situated as in the case of land acquired in village Khizrabad****. Considering the location of village Kilokari, there is no* ***reason to assume that rate of land in village Kilokari would be less than in village Khizrahad****. There appears to be no reason as to why the rate of* ***land assessed in Award No. 19/92-93 involving the same date of notification in village Khizrabad may not be adopted in present case****. I may also mention that for assessment of land (other than situated in forward bund in river bed) which is not covered under the provisions of DLR Act, a*

marginal increase in compensation can be granted on account of urbanization when the same is compared with land to which provisions of DLR Act arc applicable. ***However in the present case as the land is situated in forward bund area in the river bed, the possibility of any distinct advantage is remote and the fact that the village Kilokari had been urbanized may not be of much consequence****. Any benefit on account of urbanization was also denied by Hon'ble High Court in Tindey's case (Supra) on account of urbanization of village Khizrabad though the same was claimed to have been also urbanized, in view of typical location and sailabi nature of land. in view of above,* ***I am not inclined to grant rate of compensation in village Kilokari at any higher rate that assessed in village Khizrabad. I am therefore of the view that it shall be fair to assess the market value of land @ Rs.89,600/- per Bigha following the rate of land assessed by this Court in village Khizrabad wherein the land had been acquired for same purpose and involves the same date of notification****..."*

[Emphasis supplied]

ANAYLSIS & FINDINGS

26. As stated above, the learned Reference Court also conducted an 'on the spot' inspection of the site and relied on its report dated 22.11.2006 in the Impugned Judgment.

27. At this stage, it is apposite to set out that the Appeals listed before this Court were in relation to four villages i.e., Khizrabad, Kilokari, Nangli Razapur and Garhi Mendu. It is apposite to set out the details by way of a tabular chart below:

S.No.	**Total No. of Cases**	**Village Name**	**Award No. & Date**	**Rate as Awarded by Reference Court**	**Rate as awarded by Predecessor Bench of this Court on 07.06.2011**
1.	21	Khizrabad	18/1992-93 19.06.1992	Rs.89,600/- per Bigha	Rs.89,600/- per Bigha
2.	62	Kilokari	14/1992-93 17.06.1993	Rs.89,600/- per Bigha	Rs.89,600/- per Bigha
3.	48	Nangli	16/1992-93	Rs.89,600/-	Rs.89,600/-

		Razapur	19.06.1992	per Bigha	per Bigha
4.	13	Garhi Mendu	13/1992-93 19.06.1992	Rs.90,102/- per Bigha	Rs.89,600/- per Bigha

The Appeals

28. Learned Counsel for the parties contended that the reasoning of the learned Reference Court is *pari materia* in the Impugned Orders in relation to these villages and thus all 144 Appeals can be heard together and with the consent of the parties LA.APP. 59/2007 captioned being ***Bed Ram v. UOI & Anr.*** was argued as the lead matter.

29. Pursuant to the ***SC Judgment,*** the Appellants essentially relied upon the evidence which was already available with the learned Reference Court *albeit* both in the ***Bed Ram*** case as well as in connected matters. The Appellants have also relied upon the exemplars in the form of sale deeds which were available on record, including of village Behlolpur Khadar and village Jasola.

29.1 The Respondents have relied upon the building potentiality of the land and have stated that the land being *'Sailabi'* in nature did not have the same building potentiality as the land which was in its vicinity for development. It is additionally contended that the burden of proof in such cases is on the Claimants to show the value of the land.

29.2 The parties agreed that no further evidence (other than what was already led by the parties before this Court) was required to be led by either party nor was cross-examination on the sale exemplars necessary as the Respondents made their submissions contradicting these exemplars.

Village Khizrabad

30. The learned Reference Court passed a judgment in the LAC No. 18 of 2005 titled '***Attar Singh v UOI***' on 25.09.2006 [hereinafter referred to as the "Khizrabad Judgment"]. The Khizrabad Judgment in essence made the calculations with reference to the judgment of the Division Bench of this Court in ***Tindey*** case to award Rs.89,600/- per Bigha. The 21 cases that have been decided are set out below:

S. No.	Case No. & Case Title
1.	LA.APP. 40/2007 Dharam Veer vs. UOI & Anr.
2.	LA.APP. 42/2007 Sri Ram &Anr. vs. UOI & Anr.
3.	LA.APP. 43/2007 Bed Ram vs. UOI & Anr.
4.	LA.APP. 44/2007 Attar Singh vs. UOI & Anr.
5.	LA.APP. 293/2007 Jagbir Singh vs. UOI & Anr
6.	LA.APP. 72/2016 Raghubar Dayal @ Raghuber Singh @ Raghbar Singh & Ors. vs. Union of India & Anr
7.	LA.APP. 335/2008 Munshi Deceased Through LRs & Ors. vs. UOI &Anr
8.	LA.APP. 647/2009 Mehar Chand & Ors. vs. Union of India &Anr
9.	LA.APP. 650/2009 Prem Raj & Ors. vs. Union of India & Anr
10.	LA.APP. 311/2010 Mamraj & Ors. vs. Union of India & Anr.
11.	LA.APP. 314/2010 Lakhmi Chand & Ors. vs. Union of India & Anr.
12.	LA.APP. 315/2010 Jaggan vs. Union of India & Anr.
13.	LA.APP. 316/2010 Ramesh Decd Thr LRs & Ors. vs. Union of India & Anr.
14.	LA.APP. 699/2010 Nain Singh Decsd. Thr LRs vs. Union of India & Anr
15.	LA.APP. 13/2012 Budhan Decsd. Thru LRs vs. Union of India & Ors

16.	LA.APP. 37/2012 Daroga Decsd. Thr LRs & Ors vs. Union of India & Ors
17.	LA.APP. 85/2015 Lakhmi Chand & Ors vs. Union of India & Anr
18.	LA.APP. 14/2016 Nain Singh (Deceased) Thr His LRs vs. Union of India
19.	LA.APP. 131/2018 Union of India vs. Mamchand (Dec) Thr LRs & Ors
20.	LA.APP. 204/2018 Om Prakash (Deceased) Thr LRs vs. Union of India & Anr
21.	LA.APP. 4/2019 Union of India vs Raghubar Dayal @ Raghbar Singh & Ors.

Village Kilokari

31. The judgment in the ***Bed Ram Reference Court*** case relied upon the ***Attar Singh*** and the ***Tindey*** case to calculate the compensation in these matters were listed before this Court in respect of the revenue estate of village Kilokari, which are set out below:

S. No.	Case No. & Case Title
1.	LA.APP. 58/2007 Duli Chand vs. UOI &Anr.
2.	LA.APP. 59/2007 **Lead matter** Bed Ram vs. vs. UOI & Anr.
3.	LA.APP. 338/2015 Fakir Chand (Deceased) Thr. Lr & Ors. vs. Union of India &Anr.
4.	LA.APP. 339/2015 Hukum Singh Since Deceased Thr. LRs & Ors. vs. Union of India &Anr.
5.	LA.APP. 144/2019 Prakash & Ors. vs. Union of India &Anr
6.	LA.APP. 230/2022 Salek Ram (Deceased) Thr Lrs & Ors. vs. Union of India &Anr.
7.	LA.APP. 366/2022 Sita Ram (Deceased) Thr. LR Chavan &Anr. vs. Union of India & Ors.
8.	LA.APP. 61/2007 Kesar Singh & Ors. vs. UOI &Anr.
9.	LA.APP. 62/2007 Ganga Ram &Anr vs. UOI &Anr
10.	LA.APP. 63/2007 Satto Devi & Ors. vs. UOI &Anr

11.	LA.APP. 64/2007 Angoori Devi (D) Thru. LR vs. UOI &Anr
12.	LA.APP. 65/2007 Raj Pal vs. UOI & Anr
13.	LA.APP. 66/2007 Kailash Sharma &Anr. vs. UOI &Anr
14.	LA.APP. 73/2007 Tek Chand vs. UOI &Anr
15.	LA.APP. 87/2007 Pritam Singh & Ors. vs. UOI &Anr
16.	LA.APP. 412/2007 Giriraj & Ors. vs. UOI &Anr
17.	LA.APP. 89/2007 Balbir Singh vs. UOI &Anr
18.	LA.APP. 130/2009 Shri Bhik Ram vs. Union of India & Ors.
19.	LA.APP. 91/2007 Bhim Singh Decd. Thr. LRs & Or vs. UOI &Anr
20.	LA.APP. 500/2008 Bharat Singh & Ors. vs. UOI &Anr
21.	LA.APP. 748/2008 Dal Chand & Ors. vs. U.O.I & Ors.
22.	LA.APP. 89/2009 Om Prakash (Since Deceased) Thr. LRs vs. UOI & Ors.
23.	LA.APP. 528/2009 Sher Singh (Deceased) Thr. LRs vs. UOI &Anr.
24.	LA.APP. 553/2009 Bahadur DecdThr LRs vs. Union of India &Anr
25.	LA.APP. 559/2009 Pehlad vs. Union of India &Anr
26.	LA.APP. 595/2009 Prem Raj & Ors. vs. Union of India &Anr
27.	LA.APP. 101/2010 Ratto Devi Decd Thr LRs & Ors. vs. Union of India & Anr
28.	LA.APP. 380/2010 Kesar Singh & Ors. vs. UOI and Anr.
29.	LA.APP. 765/2010 Dal Chand & Ors. vs. Union of India & Anr.
30.	LA.APP. 827/2010 Bhoop Singh Decd Thr LRs vs. UOI &Anr
31.	LA.APP. 1070/2010 Ram Kishan Decd Thru LRs & Ors. vs. UOI &Anr.
32.	LA.APP. 15/2011 Mussadi Decsd Thr LRs vs. Union of India & Ors.

33.	LA.APP. 29/2011 Dal Chand &Anr vs. Union of India
34.	LA.APP. 39/2011 Uma Dhawan & Ors. vs. Union of India &Anr.
35.	LA.APP. 54/2011 Karan Singh vs. Union of India &Anr
36.	LA.APP. 155/2011 Jaspal Singh (Dec) Thr LRs vs. UOI &Anr
37.	LA.APP. 156/2011 Bed Ram vs. UOI &Anr.
38.	LA.APP. 251/2011 Hari Chand vs Union of India & Ors
39.	LA.APP. 5/2012 Surjan & Ors vs. Union of India & Ors
40.	LA.APP. 6/2012 Gian Chand Decsd. Thr. LRs & Ors. vs. Union of India &Anr
41.	LA.APP. 10/2012 Anant Ram &Anr vs. Union of India &Anr
42.	LA.APP. 218/2012 Net Ram Through LRs and Anr vs. UOI &Anr
43.	LA.APP. 223/2012 Hari Singh Through LRs vs. UOI &Anr.
44.	LA.APP. 49/2013 Samarta Decsd. Thru LRs and Ors vs. UOI and Anr
45.	LA.APP. 51/2013 Net Ram vs. UOI &Anr
46.	LA.APP. 86/2015 Jugal Kishore & Ors vs. Union of India &Anr
47.	LA.APP. 423/2015 Hari Kishan (Deceased) Thr LRs vs. Union of India &Anr
48.	LA.APP. 426/2015 Nathu (Deceased) Thr LRs vs. Union of India &Anr
49.	LA.APP. 445/2015 Nathu (Deceased) Thr LRs vs. Union of India &Anr
50.	LA.APP. 173/2016 Ram Saroop Through LRs vs. UOI and Anr
51.	LA.APP. 196/2016 Budh Ram @ Budh Singh (Deceased) Thr LRs & Ors. vs. Union of India &Anr
52.	LA.APP. 292/2016 Hari Kishan Sharma & Ors vs. Union of India &Anr
53.	LA.APP. 11/2017 Shashi Kumar vs. Union of India &Anr
54.	LA.APP. 287/2017 Mehar Chand & Ors vs. Union of India &Anr

55.	LA.APP. 209/2018 Virender &Anr vs. Union of India &Anr
56.	LA.APP. 245/2018 Union of India vs. Budh Ram @ Budh Singh (Dec) Thr LRs & Ors
57.	LA.APP. 246/2018 Union of India vs. Hari Kishan (Dec) Thr LRs & Ors
58.	LA.APP. 247/2018 Union of India vs. Ram Saroop (Dec) Thr LRs & Ors
59.	LA.APP. 49/2019 Union of India vs. Hanso (Deceased) Thr LRs &Anr
60.	LA.APP. 130/2019 Dal Chand Sharma & Ors vs. Union of India &Anr
61.	LA.APP. 137/2019 Bhoop Singh (Deceased) Thr LRs vs. Union of India &Anr
62.	LA.APP. 298/2022 Jai Bhagwan Deceased Through His Legal Heirs and Ors vs. Union of India and Anr.

31.1 These Appeals emanate either from the Impugned Judgment or judgments passed by the Reference Court thereafter, relying on the Impugned Judgment.

Village Nangli Razapur

32. So far as concerns the village **Nangli Razapur,** the lead matter for this village is LA.APP. 372/2007 captioned ***Bhopal Singh vs. UOI & Anr.*** The learned Reference Court by a judgment dated 29.08.2007 in LAC No. 2/1998 titled as ***Bhopal Singh v. UOI & Anr.***/Nangli Razapur Reference Court Judgment ascertained the compensation to be awarded at the same rate as those in village Kilokari at Rs.89,600/- per Bigha. The learned Reference Court in this matter relied on the judgment in the ***Attar Singh*** case in respect of village Khizrabad to hold that the compensation should be awarded. The learned Reference Court discussed the sale exemplars relied in the ***Bed Ram Reference Court*** case of village Kilokari, referencing the fact that the land

was situated in the *"Forward Bund"* area. The details of the 48 cases in relation to village Nangli Razapur are set out below:

S. No.	**Case No. & Case Title**
1.	LA.APP. 911/2010 Kehar Singh vs. Union of India & Ors.
2.	LA.APP. 1234/2008 Hans Raj Decd. Thr LRs vs. UOI & Anr
3.	LA.APP. 1235/2008 Surya Prakash & Ors. vs. UOI & Anr
4.	LA.APP. 607/2009 Neki Ram vs. UOI
5.	LA.APP. 372/2007 **Lead Matter** Bhopal Singh vs. UOI &Anr
6.	LA.APP. 501/2008 Zile Singh (Deceased) Through LRs vs. UOI & Anr
7.	LA.APP. 508/2008 Jagwati vs. UOI & Anr
8.	LA.APP. 509/2008 Bir Singh vs. UOI & Anr
9.	LA.APP. 564/2008 Aman Singh vs. UOI & Anr
10.	LA.APP. 565/2008 Shashi Verma vs. UOI & Anr
11.	LA.APP. 609/2008 Nimant Rana & Ors. vs. UOI & Anr
12.	LA.APP. 631/2008 Dinesh Kumar & Ors. vs. UOI & Anr
13.	LA.APP. 737/2008 Inder Singh vs. U.O.I & Anr
14.	LA.APP. 739/2008 Ramesh Basistha vs. U.O.I & Ors
15.	LA.APP. 816/2008 Kishan Sahai Thru LRs vs. UOI & Anr
16.	LA.APP. 817/2008 Jagbir & Ors. vs. UOI & Anr
17.	LA.APP. 876/2008 Rishal Singh Decd. Thr. LRs vs. UOI & Anr
18.	LA.APP. 966/2008 Raj Kumar vs. UOI & Ors.
19.	LA.APP. 992/2008 Ajeet Singh vs. UOI & Ors.

20.	LA.APP. 994/2008 Hari Singh vs. UOI & Anr
21.	LA.APP. 995/2008 Prem Singh vs. UOI & Anr
22.	LA.APP. 996/2008 Rajender Prashad & Ors. vs. UOI & Anr
23.	LA.APP. 1136/2008 Jaswant Singh Rana (Deceased) Thr. LRs vs. UOI & Anr
24.	LA.APP. 1204/2008 Devender Kumar Triguna vs. UOI & Anr.
25.	LA.APP. 1238/2008 Chinta vs. UOI &Anr.
26.	LA.APP. 550/2009 Guni Ram Decsd. Through LRs vs. Union of India & Ors.
27.	LA.APP. 551/2009 Ranjit Kumar Triguna vs. Union of India & Anr
28.	LA.APP. 552/2009 Jagdip Kumar Triguna vs. Union of India &Anr
29.	LA.APP. 556/2009 Attar Singh DecdThr LRs vs. Union of India &Anr
30.	LA.APP. 560/2009 Ajit Singh vs. Union of India & Ors.
31.	LA.APP. 576/2009 Narender Kumar Triguna vs. Union of India &Anr
32.	LA.APP. 580/2009 Kesar Singh & Ors. vs. Union of India &Anr
33.	LA.APP. 253/2010 Ram Pat vs. Union of India & Anr.
34.	LA.APP. 263/2010 Ramesh &Anr vs. Union of India &Anr
35.	LA.APP. 264/2010 Hari Singh DecdThr LRs vs. Union of India &Anr
36.	LA.APP. 454/2010 Daya Kishan Decd Thr LRs & Ors vs. Union of India & Anr.
37.	LA.APP. 677/2010 Om Prakash &Anr vs. Union of India & Ors.
38.	LA.APP. 678/2010 Shri Chanderman @ Chander Singh vs. Union of India & Ors.
39.	LA.APP. 679/2010 Ram Singh Decsd Thr LRs & Ors vs. Union of India & Ors.
40.	LA.APP. 682/2010 Mool Chand Decd Thr LRs vs. Union of India and Ors.
41.	LA.APP. 683/2010 Yash Pal & Ors. vs. Union of India & Ors.
42.	LA.APP. 140/2011

	Ranjeet Singh Decd Thr LRs vs. Union of India & Anr
43.	LA.APP. 708/2011 Lekh Ram vs. Union of India & Anr
44.	LA.APP. 716/2011 Gopal Singh & Ors vs Union of India & Anr
45.	LA.APP. 390/2015 Virender Singh (Since Missing) Thr. LRs & Ors vs. Union of India & Anr
46.	LA.APP. 18/2016 Mahipal (Deceased) Thr LRs vs. Union of India & Anr
47.	LA.APP. 19/2016 Chhattar Singh vs. Union of India & Anr
48.	LA.APP. 256/2017 Pooja vs. Union of India & Anr

Village Garhi Mendu

33. As stated in paragraph 9.3 above, the learned Reference Court had enhanced the market value of the land as acquired from Rs. 27,344/- per Bigha to Rs. 90,102/- per Bigha in the lead matter in this village being LA.APP. 1038/2008 captioned ***UOI vs. Khazan Singh & Ors.*** by a judgment dated 26.07.2007 [hereinafter referred to as the "***Garhi Mendu*** Judgment"]. Reliance was placed on the judgment in the case of ***Smt. Chawli Devi (Deceased) through her LRs v. UOI & Anr.,*** being order dated 31.05.2007 passed in LAC No. 334/1 of 2006 by the learned Reference Court. The details of 13 matters in relation to village Garhi Mendu which were listed before this Court as below:

S. No.	Case No. & Case Title in High Court
1.	LA.APP. 1143/2008 UOI &Anr. vs. Bhohti Deceased Through LRs
2.	LA.APP. 1038/2008 UOI vs. Khazan Singh & Ors.
3.	LA.APP. 1040/2008 UOI vs. Champa Devi Decd. Thr LRs.
4.	LA.APP. 1042/2008 UOI vs. Richa Ram & Ors.
5.	LA.APP. 1043/2008

	UOI vs. Phool Singh & Ors.
6.	LA.APP. 1141/2008 UOI vs. Mansa Ram Decd. Thr. LRs & Ors.
7.	LA.APP. 1142/2008 UOI vs Kishori @ Bhola Decd. Thr. LRs & Ors.
8.	LA.APP. 1144/2008 UOI &Anr vs. Nathu & Ors.
9.	LA.APP. 1145/2008 UOI vs. Balbir & Ors.
10.	LA.APP. 1146/2008 UOI vs. Hari Kishan Decd. Thr LRs & Ors.
11.	LA.APP. 1147/2008 UOI &Anr vs Sohan Thr. His LRs
12.	LA.APP. 1148/2008 UOI vs. Khazan Singh Decd. Thr. LRs
13.	LA.APP. 618/2009 Badley vs. UOI &Anr

33.1 The Garhi Mendu Judgment was challenged by the Appellants before this Court. By an order dated 07.06.2011, this Court directed that the fair market value per Bigha of the lands in the revenue estate of Garhi Mendu would be Rs. 89,600/- per Bigha and not Rs. 90,102/- per Bigha as awarded by the learned Reference Court. The amount of compensation for village Garhi Mendu was kept at parity to Rs.89,600/- per Bigha in view of the amounts awarded for the adjoining villages of Kilokari, Khizrabad and Nangli Razapur. The relevant extract of order dated 07.06.2011 is set out below:

> *"8. Since in the decisions pronounced today pertaining to village Khizrabad, Kilokari and Nangli Rajapur I have upheld the market value determined by the learned Reference Court for said villages @ ₹89,600/- per bigha by assigning the minimum value to the lands, I see no scope to further reduce the market value of the lands in village Ghari Mendu and by way of an illustration may simply state that on the poverty index, those who are listed as Below Poverty Line would have no scope for further sub-classification as 'Below Poverty Line' and 'Little Below Poverty Line'.*
>
> ***9. I accordingly hold that the fair market value of the subject lands in village Ghari Mendu as of 23.6.1989 would be ₹89,600/- per bigha and not ₹90,102/- per bigha worked out by the learned Reference Court**.*

10. Accordingly, LA App.No.618/2009 filed by Badley seeking enhancement of compensation is dismissed.

11. ***The Land Acquisition Appeals filed by Union of India are partly allowed by modifying the Reference Order and decreeing ₹89,600/- to be the fair market value per bigha of the subject lands in village Ghari Mendu*** *which are the subject matters of the appeals filed by Union of India and needless to state on the said sum the land owners would be entitled to statutory benefits under the Land Acquisition Act 1894 as interpreted in the decision reported as Sunder Vs. Union of India 93 (2001) DLT 569. Cross objections in said appeals filed by the land owners are dismissed."*

[Emphasis Supplied]

34. The Impugned Judgment has been made applicable in respect of the lands comprised in the revenue estate of village Kilokari, Khizrabad, Nangli Razapur and Garhi Mendu. It is clarified that not all agricultural land in the revenue estate of these three villages was acquired, some part of land in these villages were also de-notified under Section 48 of the LA Act.

The Award

35. The Kilokari Award which was passed for land admeasuring 2226 Bighas and 5 Biswas pursuant to notification under Section 4 of the LA Act, relied upon the Office Order dated 03.05.1990 which conveyed the decision of the Administration regarding fixation of minimum rise for agricultural land to be taken into consideration by the LAC. It was further stated therein that it would apply to all cases where land had been notified under Section 4 of the LA Act after 27.04.1990. The Kilokari Award sets out that since the notification in the present case was issued on 23.06.1989, the guidelines issued prior to 1990 were to be used after working out a pro rata discount of compensation at the rate of 15% per annum was calculated as Rs.27,344/- per Bigha and the Award was made accordingly.

35.1 The Kilokari Award further recorded the existence of 251 Safeda trees, 6 Shehtoot trees, 3 Amrood trees, 4 Neem trees and 1 Sheesham tree along with a tubewell and a wall on the land. It further states that other than boundary wall and one temple [which was not acquired], no other permanent structure were found in existence at the time of the notification. The relevant extract is below:

> *"Hence, in view of the guidelines conveyed by the Administration for discounting the rates in regarding to notification issued prior to 1990, at the rate of 15% per annum on this price of Rs.1.5 lacs per acre**, after working out the pro-rata discount of compensation works out to Rs.27,344/- per bigha i.e. Rs.1,31,251/- per acre**. Therefore, I assess the true and fair market value of the land as per policy at Rs.27,344/- per bigha and award accordingly. No other type of tree is available in any of the khasra under acquisition excepting some Safeda tree and a few below mentioned, which are assessed as below:*
>
> | | |
> |---|---|
> | *251 Safeda Tree @ 100/-* | *25,100/-* |
> | *6 Shahtoot @ 50/-* | *300/-* |
> | *3 Amrood @ 50/-* | *150/-* |
> | *4 Neem @ 125/-* | *500/-* |
> | *1 Shisham @ 200/-* | *200/-* |
> | *Total:* | *26,250/-* |
>
> ***As regards tube well/well only one old well is recorded in zamabandi and that too is un-usable for any purpose.** So, no compensation deserves to be awarded. Regarding structures **only boundary wall were erected and no other** construction of permanent nature was found, in existence at the time of the notification u/s 4 i.e., on **23.6.89, excepting one temple in Kh. No. 520 Min of which, the possession was also not taken**."*
>
> [Emphasis Supplied]

The Reference Court Judgments

36. The first assessment of the market value for the acquired land was done by the learned Reference Court in ***Attar Singh*** case, wherein learned Reference Court had assessed the market value of the acquired land in village

Khizrabad as Rs. 89,600/- per Bigha. Relying on the judgement in the ***Attar Singh*** case, the learned Reference Court also decided other cases pertaining to the village Khizrabad.

36.1 Since the land in village Kilokari was also located in the *"Forward Bund"* in river bed and appeared to be similarly situated as in the case of land acquired in village Khizrabad, the judgement in the ***Attar Singh*** case was relied on by the learned Reference Court in LAC 1/2003 captioned ***Bed Ram v. Union of India & Anr.*** decided on 18.10.2006 [the Impugned Judgment] and the market value for the village Kilokari was assessed at the rate of Rs. 89,600/- per Bigha as well.

36.2 The land under acquisition in the village Nangli Razapur was also found to be similarly situated to the land under acquisition in village Kilokari and thus, learned Reference Court in LAC 2/1998 captioned ***Bhopal Singh v. Union of India & Anr.*** decided on 29.08.2007 relied upon the ***Attar Singh*** case and ***Bed Ram Reference Court*** case (the Impugned Judgment) and assessed the market value of land in village Nangli Razapur at the rate of Rs. 89,600/- per Bigha.

36.3 The market value of the acquired land in village Garhi Mendu was assessed by the learned Reference Court in LAC No. 96/01/2006 captioned as ***Khazan Singh v. Union of India*** decided on 26.07.2007 at the rate of Rs.90,102/- per Bigha. In the ***Garhi Mendu Judgment,*** the learned Reference Court has relied upon the judgement in LAC 334/1/06 captioned as ***Smt. Chawli Devi (decd.) through her LRs v. Union of India & Anr.*** decided on 31.05.2007 which had also assessed the market value of the land in the village Garhi Mendu. The learned Reference Court in the ***Chawli Devi*** case relied

upon the judgment of ***Bed Ram Reference Court*** case and ***Sri Ram & Anr v. Union of India and Anr.***[21] to categorize the land of village Garhi Mendu to be similarly situated with the land of village Khizrabad and Kilokari. The learned Reference Court, however, relied upon ***Rameshwar Solanki and Anr. v. UOI & Anr.***[22] to marginally enhance the market value of the acquired land in Garhi Mendu to Rs. 90,102/- per Bigha as on the date of notification i.e., 23.01.1989.

36.4 Thus, both the learned Reference Court as well as this Court in the ***Bed Ram*** case judgment passed on 07.06.2011 has found the lands in village Kilokari, Nangli Razapur, Khizrabad and Garhi Mendu to be similarly situated for the purposes of award of compensation.

The Additional Evidence

37. As stated above, emphasis was placed by the learned Senior Counsel/learned Counsel for the Appellants that in terms of the location of land, the award by the Reference Court was not commensurate with the potentiality of the land. Reliance was also placed on the awards given for villages Jasola and Behlolpur Khadar. Relying on the Affidavit in evidence dated 01.09.2015 filed by AW1/Karan Singh, it was contended that the acquired land was under cultivation and the compensation as awarded for village Behlolpur Khadar, which was adjoining and acquired by the same notification was Rs.2.5 lacs per Bigha, and since this area was adjoining village Behlolpur Khadar, similar compensation should have been awarded. The witness also placed reliance on the Khasra Girdawari showing the land

[21] LAC 13/2004 decided on 25.09.2006
[22] 57 (1995) DLT 410

of the Appellant as well as the map of the location of the land. The witness relied on the judgment dated 04.01.2011 passed in LAC 75/2008 captioned ***Smt. Sudesh Bhatia v. Union of India & Anr.***[23] [hereinafter referred to as the "Behlolpur Khadar Reference Court Judgment"] as well as in LAC 27/2012 captioned ***S.S. Dhillon v. Union of India & Anr.***[24] to submit that these awards have not been challenged by the Respondent.

38. Two witnesses were produced by the Appellants before this Court, Mr. Karan Singh and Mr. Kailash Sharma [AW-1 in LA.APP. 54/2011 and AW-1 in LA.APP. 59/2007 respectively]. Mr. Karan Singh deposed on the Khasra Girdavari showing notification of the land of the Appellants. He further deposed that the compensation for the adjoining village of Behlolpur Khadar which was acquired by the same notification was given at the rate of Rs.250/- sq. yds. The deponent also relied on the Behlolpur Khadar Reference Court Judgment which awarded Rs. 2.5 lakhs per Bigha for village Behlolpur Khadar as well as the judgment in ***Jagdish Gulati*** case which awarded Rs. 49,41,000/- per Bigha for land situated in the village Jasola. In addition, he confirmed that the land was being used by him for agricultural purposes. The relevant extract of the evidence of Mr. Karan Singh is set out below:

> *"4. That it is pertinent to mention here that the instant Appeal of the Appellants i.e., L.A.APP NO. 54 OF 2011 titled Karan Singh vs. Union of India & Ors, was treated as the lead case before the Hon'ble Supreme Court of India as Civil Appeal No. 11236 of 2011* ***and it is on the basis of these additional documents (the Eicher map showing the location of the land of the instant Appellant, the khasra Girdawri showing cultivation on the land of the Appellant herein, Judgments/Awards by the Court of the LD.ADJ @ Rs.250 per Sq Yard in the adjoining Village Behlolpur which was acquired vide the same notification on the same date and for the same purpose)*** *which were filed before the Hon'ble Supreme Court that the Hon'ble Apex court vide its order/judgment dated 13.01.2015 had granted an opportunity to the Appellant herein to file these*

[23] LAC 75/2008: Judgment dated 04.01.2011 –District Courts
[24] LAC 27/2012: Judgment dated 03.12.2014

documents before this Hon'ble court for being considered prior to adjudging the quantum of compensation to be awarded to the Appellant herein in comparison to the compensation so awarded earlier. It is further significant to mention that the benefit of the said order/Judgment dated 13.01.2015 so passed by the Hon'ble Supreme Court was extended to all other Appellants who were before the Hon'ble Supreme court then and are now before this Hon'ble Court.

5. That the Copy of the Eicher map showing the location of the land of the Appellant is marked as Exhibit AW1/2 (already filed in L.A.APP NO. 54 OF 2011 at page number 477.)

6. ***That the true copy of the Khasra girdawari showing the land of the Appellant herein as being used for agricultural purposes is marked as Exhibit AW1/3*** *(already filed in L.A.APP NO. 54 OF 2011 at page number 350-359.) (Original is in the possession of the Appellant and can be produced as and when directed by this Hon'ble Court).”*

[Emphasis supplied]

38.1 In his cross-examination conducted on 23.01.2016 by the Respondents the witness deposed that the nomenclature of the land was *'Sailabi',* which when translated meant flood in the English translation filed. The witness also clarified that *'Sailabi'* as mentioned in Khasra Girdavari meant the area in close proximity to the river Yamuna and that the Khasra Girdawari showed the cultivation carried out on the land. He further deposed that there were several established institutions like the women polytechnic, CRRI staff quarters which came into existence in the vicinity of the acquired land in the period from 1965-75. In addition, he deposed that the Eicher Map was filed to show the proximity of the land to Kalindi Kunj which was near Maharani Bagh the women polytechnic came into being in the year 1978-80. The relevant extract of the cross-examination is set out below:

“23.01.2016

AW1 Statement of Mr. Karan Singh, S/o Late Sh. Likhi Ram, aged about 53 years, R/o 88, Taimur Nagar, Near New Friends Colony. New Delhi 110065, On SA.

xxx xxx xxx

My land which has been acquired by the Government bears Khasra No. 860 in Revenue Estate of Village Kilokri.

Q. What is the meaning of flood mentioned in Khasra Girdawari at running pages 350-359 in LA. APP. 54/2011 (Ex. AW1/3).

Ans. The translator who-did translation of Khasra Girdawari has described ***the Urdu word Sailabi as 'flood' in English. (Volunteered). This Khasra Girdawari also mentions details of the cultivation carried out in the particular years.***

The Eicher Map (Ex. AW1/2) filed by me along with my affidavit was prepared in the year 2012. (Volunteered) if required, I can produce the original book carrying this map also. I was not at all associated with the preparation of this Eicher Map (Ex. AW1/2). (Volunteered) It was filed only to show the proximity of my land to Kalindi Colony. I never applied to the MCD seeking sanction of the layout plan with respect to land in question.

The Kalindi Colony near Maharani Bagh started developing from the year 1970. I do not know about the completion of development of that area. Likewise, Maharani Bagh was also developed in the years 1965-70. The Women Polytechnic in Maharani Bagh came into being approximately in the year 1978-80. CRRI Staff Quarters came into existence in the year 1975-76 Akshardham Temple also came into existence about 10-12 years back Common Wealth Garnes were held, in the year 2010.

According to me, the 'posh colony' means a colony which has all the civic amenities and facilities for the convenience of the residents. According to me, the word 'Sailabi' means the area which is in close proximity to the river Yamuna and has been categorised as such. *The other colonies at Maharani Bagh, Kalindi Colony, New Friends Colony have been categorized as plain land. I have never raised any objection to the word 'Sailibi' [sic; Sailabi] mentioned in Khasra Girdawari (Ex. AW1/3) in relation to my land."*

[Emphasis Supplied]

39. The other witness - son of Shri Bed Ram, Shri Kailash Sharma, also deposed before this Court by way of an Affidavit dated 14.09.2015. The said Kailash Sharma deposed that the acquired land in village Kilokari touches New Friends Colony, Kalindi Colony, Maharani Bagh and various other colonies of Delhi and is in the vicinity of Akshardham Temple and Common Wealth Game Village Complex. The witness deposed that the acquired land is neither the river bed nor the flood plain since the land which was submerged

and/or submergible had already been de-notified on 25.05.1995 from the area under acquisition under Section 48 of the LA Act. He also relied on the Award of village Behlolpur Khadar as decided in the Behlolpur Khadar Reference Court Judgment dated 04.01.2011 as well as the award *qua* village Jasola. It was deposed that the villages Kilokari, Khizrabad, Nangli Razapur, Behlolpur Khadar and Jasola had already been urbanised prior to the 23.06.1989 Notification under Section 4 of the LA Act. The relevant extract is set out below:

> *"6. That in the earlier* ***acquired land of Village Kilokari, several posh colonies like New Friends Colony, Maharani Bagh, Kalindi Colony, Women Polytechnic, Central Road Research Institute had already been developed and the remaining*** *land of these villages was acquired vide above said notification dated 23.06.1989 under Section 4 of the Land Acquisition Act.*
>
> *7.* ***That the presently acquired land is neither riverbed nor floodplain because the land which was submerged or submergible has already been de-notified under Section 48 of the Land Acquisition Act (already on record).***
>
> *8. That the presently acquired land of Village Kilokari touches New Friends Colony, Kalindi Colony, Maharani Bagh, Women Polytechnic, Central Road Research Institute, Ring Road and Indraprastha.* ***Akshardham Temple and Common Wealth Game Village Complex are also in the vicinity.***
>
> *xxxx xxxx xxxx xxxx*
>
> *15. That as the presently acquired land of the appellant in Village Kilokari is of the same kind/nature and enjoys better location and has been acquired for the same purpose, the appellant cannot be treated discriminately and therefore, in view of the steep rise in the market value of the land after 1959 and in view of the evidence placed on record, the appellant* ***deserves the same market value of the entire acquire land****."*
>
> [Emphasis supplied]

39.1 The deponent was cross-examined by the Respondents on various aspects including as to whether any layout or sanction plans were applied for change of land use in the village which was answered in the negative. He further deposed that he was running a shop in village Kilokari since the year 1996 doing the business of paint and hardware. The witness also deposed that

for the last 50 years or so, he never experienced any flood or water logging in the land. He further deposed that they had been cultivating the land in question since the year 1989. The relevant extract of this cross-examination conducted on 23.01.2016 is set out below:

> *"**23.01.2016***
>
> ***AW1***
>
> ***Statement of Mr. Kailash Sharma, S/o Sh. Bed Ram, aged about 5.5 years, R/O D-63, East of Kailash, New Delhi-110065.***
>
> ***On S A.***
>
> *xxx xxx xxx xxx*
>
> ***I am running the business of paints and hardware and I have a shop at Village Kilokri [sic: Kilokari] since 1996**. I have brought all the papers in Court which are relevant to the present case. Whatever I have stated in para-9 of the affidavit is on the basis of my personal knowledge.*
>
> *I am related to the disputes of land in question for the last 25 years. **I have never applied to MCD seeking sanction of the layout plan in respect of land in question. I have never experienced any flood or water logging on the land in question for the last 50 years**. (Volunteered) **I am presently 50 years of age and to my knowledge I have never experienced any flood or water logging in respect of land in question during my lifetime.***
>
> *According to my knowledge, Maharani Bagh was developed between 1959-65. New Friends Colony was also developed during the said period. Same is the position with Kalindi Colony. The Women Polytechnic came into being in Maharani Bagh area in the years 1965-70. Same is the position with CRRI. Akshardhan Temple came into existence during the period after acquisition and before Common Wealth Games started in Delhi. **We had been cultivating the land in question till it was acquired in the year 1989."***
>
> [Emphasis Supplied]

40. Both the witnesses, Shri Kailash Shama as well as Shri Karan Singh had in their cross-examination referred to the facts that the land adjacent to the acquired land included the 'posh colonies' of Maharani Bagh and New Friends Colony, which were developed in the 1960s. They further deposed that there was a women's polytechnic in the Maharani Bagh area in the 1960-

70s[25] and as did the CRRI staff quarters. Shri Karan Singh also deposed that these colonies of Maharani Bagh and New Friends Colony etc. had all civic amenities and facilities for the convenience of the residence.

41. The Respondents on the other hand placed on record an Affidavit dated 24.05.2016 of the Naib Tehsildar of the Office of the LAC, Shri Ravinder Dang, as RW-1. The said witness referred to the water logging in the areas of Sidharth Nagar and South East Delhi and relied on an inspection report in that behalf. The Respondent's witness also relied on an inspection report carried out by the Central Ground Water Board (CGWB) where the technical expert of the CGWB as noted in paragraph 4 of the report that the historical level data shows that the wells located at Kalindi Colony, Maharani Bagh and Sarai Kalen Khan being in proximity of the river Yamuna have a shallow ground water levels varying from less than 2 to 4 meters below ground level, in the following terms:

> ***"EVIDENCE BY WAY OF AFFADVIT ON BEHALF OF UNION OF INDIA***
> *I,* ***Ravinder Dang, aged 50 years S/o Sh. Kesar Dass. Presently Posted As Naib Tehsildar With the Office Of Land Acquisition Collector, South/East, Having Its Office At Lajpat Nagar-IV, New Delhi do hereby solemnly affirm and declare as under:***
>
> *"2. That I say that the answering respondent/UOI on the other hand intend to prove that the compensation as was granted by the than Land Acquisition Collector under the captioned Award was just and fair and the same does not require any enhancement by the Hon'ble Court.*
>
> *3. That I say that it is stated that in the third week of May 2016, the counsel for the UOI has informed about one writ petition bearing W.P.(C) No. 7957/2014 titled Mohan Lal Ahuja v. Delhi Jal Board which stated to have pertained to the problem of water logging in Siddharth Nagar and adjoining areas of South-East Delhi. The counsel further informed that the Hon'ble Court has passed orders to conduct an inspection as to the reasons of the water logging in Siddharth Nagar and its adjoining areas. The counsel further informed that the Central Ground Water Board has*

[25] Both witnesses gave different years

conducted an inspection in Siddharth Nagar and adjoining areas of South East Delhi to check the cause of water logging problem and have submitted a report thereto. ***A copy of the inspection report carried out by the Central Ground Water Board was also placed before the office of answering respondent****. The technical experts of Central Ground Water Board must have carried out the said inspection and it has been noted* ***in para 4 of the said report that the historical water level data of its observation wells located at Batla House, Kalindi Kunj. Maharani Bagh and Sarai Kale Khan reveals that these areas being the proximity of Yamuna river have shallow ground water levels varying from less than 2 to 4 meters below ground level.*** *A copy of the said inspection report has been filed before the Hon'ble Court and is exhibited as Ex. RW1/1."*

[Emphasis supplied]

41.1 In the cross-examination conducted by the Appellant on 23.09.2016, the said witness confirmed that the areas of Maharani Bagh, Kalindi Colony, New Friends Colony, Central Road Research Institute [CRRI] and the Village Polytechnic are part of the villages of Behlolpur Khadar, Kilokari, Khizrabad and now also Jasola. He further affirmed that these are adjoining to ITO, Ashram Chowk and the Ring Road.

41.2 The witness also deposed that there were multi-storeyed buildings including DDA flats constructed in Siddharth Nagar and Bhagwan Nagar. In addition, the witness affirmed that the areas of Maharani Bagh and New Friends Colony and Siddharth Nagar were developed 30 years ago. The relevant extract of the cross-examination is set out below:

"STATEMENT OF RW-1: MR. RAVINDER DANG, S/O SH, KESAR DASS. PRESENTLY POSTED AS NAIB TEHSILDAR WITH OFFICE OF LAND ACQUISITION COLLECTOR, SOUTH/EAST, HAVING ITS OFFICE AT LAJPAT NAGAR-IV, NEW DELHI

ON S.A.

…

Q. I put it to you that the areas, namely, Maharani Bagh, Kalandi Colony, New Friends Colony, Central Road Research Institute and Women Polytechnic are situated in the previously acquired lands which are part of the villages, namely, Behloorpur [sic : Behlolpur]. Khizrabad and Kilokari. What do you have to say?

A. ***It is correct that the areas, namely, Maharani Bagh, Kalandi Colony, New Friends Colony, Central Road Research Institute and Women Polytechnic are part of the villages, namely, Behlolpur, Khizrabad, Kilokari and also Jasola.***

It is correct that the villages, namely, Behloorpur [sic: Behlolpur], Khizrabad and Kilokari are adjoining to the Ring Road ***i.e. from ITO to Ashram Chowk via Sarai Kale Khan****.*

It is correct that Maharani Bagh and Kalandi Colony also are adjoining to the Ring Road.

It is correct that Siddharth Nagar and Bhagwan Nagar are situated adjacent to each other and both the areas are adjoining the Naala.

It is correct that both in Siddharth Nagar and Bhagwan Nagar buildings to the extent of four floors are constructed.

It is also correct that multi storied buildings are constructed and existing in areas Maharani Bagh, Kalandi Colony and New Friends Colony.

I do not know exactly how many years it is, since Maharani Bagh, Kalandi Clony [sic: colony], New Friends Colony, Siddharth Nagar and Bhagwan Nagar have been developed.

Q: I put it to you that there are ***DDA Flats constructed*** *in Siddharth Nagar and Siddharth Nagar Extension. What do you have to say?*

It is correct. Again said, I am sure of DDA Flats in Siddharth Nagar Extension. But I do not know about DDA Flats in Siddharth Nagar*.*

Q. ***Can you deny the fact that the areas, namely, Maharani Bagh, Kalandi Clony [sic : colony], New Friends Colony, Siddharth Nagar and Bhagwan Nagar are developed way back 30-40 years?***

A. It is correct that they ***are developed for more than 30 years.***

I do not know exactly in the land of which village the Akshardham and Common Wealth Village are constructed. ***May be in Behloorpur [sic : Behlolpur] Village.***

I have not seen the land of Village Nangli Razapur:

I do not know exactly whether Mayur Vihar is situated on one side of the land in village Nangli Razapur.

I do not know exactly whether Chiraga Janabi area is there in our revenue records. I can say that only after seeing the record.

I am not sure whether Indraprastha is adjoining to Village Chiraga Janubi.

It is correct that, Indraprastha Millenium Depot is adjacent to village Behlolpur*."*

[Emphasis Supplied]

41.3 In the further cross-examination of the Respondents' witness, it was deposed that the Akshardham as well as the Commonwealth Games Village are situated in the area adjacent. The witness deposed that there was a construction like *"power station"* with chimney on the river side of the 'Ring Road' adjacent to the petrol pump in the acquired land. He deposed that the land in village Nangli Razapur is opposite to Akshardham which is located on the other side of the Nazimuddin Bridge and that the Indraprastha Millenium Depot is adjacent to Village Behlolpur Khadar. The witness also deposed about the Mayur Vihar area and the fact that there were DDA flats constructed in that area. A question was put to the witnesses as to whether the acquired land was given for the DND flyover or other commercial venture to which the witness responded that he was not aware and that he could not say whether the record was available or not. The relevant extract is below:

> *"**STATEMENT OF RW-1: MR. RAVINDER DANG (recalled for further cross-examination post lunch)***
>
> *...*
>
> *Q. I put it to you that an area named Taimoor Nagar Extension has been developed with multi storied buildings in the acquired land unauthorisingly. What do you say?*
>
> *A. I do not know.*
>
> ***There is some construction like power station with chimney on the river side of the ring Road adjacent to the petrol pump in the acquired land**, however, I am not sure whether it is a power station.*
>
> *It is correct that the acquired land of village Nangli Razapur and Behloorpur [sic: Behlolpur] are opposite to each other and near Chiraga Janubi as per the map prepared by the reference court on the directions of Hon'ble High Court.*
>
> *The Akshardham and Common Wealth Games Village are adjacent to each other and both of them are on the same side of Nizammuddin Bridge.*
>
> ***It is correct that the land of Nangli Razapur is opposite to Akshardham and Common Wealth Games Village and situated on the other side of the Nizammuddin Bridge.***
>
> ***I do not know whether there was any de-notification with regard to the part of notified land in Nangii Razapur, Kilokari, Behloorpur and Khizrabad.***

I have seen DND flyover. I do not know exactly in the land of which village the same is constructed.

It is correct that toll tax is imposed on vehicular traffic on DND flyover. I do not know the toll tax on DND flyover is collected by a private company. It is correct that DND flyover is a commercial venture. I do not know the DND flyover was planned even before year 1990.

I do not know whether the land was given for commercial venture like DND flyover from the acquired land in the villages Kilokari and Khizrabad. I can say only after seeing the record but I cannot say whether the record is available or not.

I have not seen the site of acquired land in the village Jasola.

In the map prepared by the Presiding Officer of the Reference Court, acquired land of Village Jasola is also shown. I do not know whether the land of village Jasola and the land of villages Kilokari and Khizrabad and Behloorpur [sic: Behlolpur] were acquired by the same notification dated 23.06.1989 in the year 1989.

Q. ***I put it to you that all the acquired lands of villages Kilokari, Khizrabad, Behloorpur [sic: Behlolpur], Nagli Razapur Jasola were acquired by a single notification dated 23.06.1989 for the single purpose of channelization of river Yamuna and for the planned development of Delhi. Is it correct or not****?*

A. I do not know.

Q. Where is Batla House situated?

A. Near Okhla. I have not visited the places Batla House and Kalindi Kunj.

I do not have the personal knowledge of any of the particulars of the W.P.(C)7957/2014.

I have visited Mayur Vihar about one to one and half year ago.

It is correct that DDA Flats are constructed in the area Mayur Vihar.

The said DDA Flats are may be of 3 or 4 floors. I do not know whether there are any DDA Flats with ten floors are constructed in Mayur Vihar.

I do not know whether there are any five star hotels namely "Double Tree' and 'Hilton' also constructed in Mayur Vihar.

Q. I put it to you that an event i.e. world cultural festival was also organized recently by Shri. Ravi Shankar on 11.03.2016 in the acquired lands which are adjacent to DND Flyover. What do say?

A. I do not know. I have come to know about the program only from news channels. I do not know whether any permission was granted by our department for conducting the above said program."

[Emphasis supplied]

41.4 The witness additionally deposed in his cross-examination that there is problem of water logging in the Siddharth Nagar. The reference to Siddharth Nagar in the Affidavit was explained as being an adjoining area to the acquired land and an area with problem of water logging. The witness also confirmed that while Siddharth Nagar is in a category 'E' colony, Maharani Bagh is in category 'A' colony, on being confronted with a book of circle rates. The relevant extract is set out below:

> *"**XXXXX by Sh. Amit Khemka, Id. counsel for appellant in I.No. 87 i.e. LA. APP. 54/2011***
>
> ***Q. Why you have mentioned Siddharth Nagar in your affidavit.***
>
> ***A. As per report ie. Mark-A, there is problem of water logging in Siddharth Nagar and that is the reason I have mentioned about Siddharth Nagar in my affidavit.***
>
> *Q. What is the connection of Siddharth Nagar with village or Kilokari, Khizrabad, Behloorpur, Nagli Razapur Jasdia?*
>
> *A.* ***Siddharth Nagar, is an adjoining area to the acquired land and there is problem of water logging in Siddharth Nager.***
>
> ***My answer is same with respect to areas Maharani Bagh, Sarai Kale Khan, Kalindi Kunj, Batla House. (Volunteers The said areas including Siddharth Nagar are on the other side of the Ring Road).***
>
> *Again said: to my knowledge only Siddharth Nager is on the other side of the Ring Road but for the other areas like Maharani Bagh, Saral Kale Khan, Kalindi Kunj, Batla House, I do not know.*
>
> *At this stage, witness is shown the page no.* ***102 of the book "Circle Rates, Edition 2016" (Commercial Law Publishers Pvt. Ltd).*** *It is correct that the Siddharth Nagar is shown on page 102 at Serial No. 2059 in category 'E' at point 'A'. The entire book is taken on record as Ex. R1W1/D1*
>
> *Maharani Bagh is shown on page 64 at point in the* ***category "A" of Ex. R1W1/01****.*
>
> *Q. I put it to you that construction of flats at Commonwealth Games Village does not become the part of channelization of part of river Yamuna?*
>
> *A. 1 cannot say.*
>
> *..."*
>
> [Emphasis Supplied]

The Statute

42. Sections 23 and 24 of the LA Act set out the principles based on which compensation can be awarded [Section 23] and what not to take into consideration while computing the compensation [Section 24]. In determining compensation for the acquired land, the Court is required to consider all relevant factors as provided under Section 23(1) of the LA Act. It is apposite to extract Section 23 and Section 24 of the LA Act which are set out below:

> *"23. **Matters to be considered in determining compensation**.-(1) In determining the amount of compensation to be awarded for land acquired under this Act, the Court shall take into consideration-*
>
> | | |
> |---|---|
> | *first,* | *the market value of the land at the date of the publication of the [notification under section 4, sub-section (1)];* |
> | *secondly,* | *the damage sustained by the person interested, by reason of the taking of any standing crops or trees which may be on the land at the time of the Collector's taking possession thereof;* |
> | *thirdly,* | *the damage (if any), sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of severing such land from his other land;* |
> | *fourthly,* | *the damage (if any), sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of the acquisition injuriously affecting his other property, movable or immovable, in any other manner, or his earnings;* |
> | *fifthly,* | *if, in consequence of the acquisition of the land by the Collector, the person interested is compelled to change his residence or place of business, the reasonable expenses (if any) incidental to such change; and* |
> | *sixthly,* | *the damage (if any) bona fide resulting from diminution of the profits of the land between the time of the publication of the declaration under section 6 and the time of the Collector's taking possession of the land.* |
>
> *(1A) In addition to the market value of the land, as above provided, the Court shall in every case award an amount calculated at the rate of twelve per centum per annum on such market value for the period commencing on and from the date of the publication of the notification under section 4, sub-section(1), in respect of such land to the date of the award of the Collector or*

the date of taking possession of the land, whichever is earlier.

Explanation. In computing the period referred to in this sub-section, any period or periods during which the proceedings for the acquisition of the land were held up on account of any stay or injunction by the order of any Court shall be excluded.]

(2) In addition to the market-value of the land as above provided, the Court shall in every case award a sum of [thirty per centum] on such market-value, in consideration of the compulsory nature of the acquisition."

*24. **Matters to be neglected in determining compensation. —***

But the Court shall not take into consideration—

first, the degree of urgency which has led to the acquisition;

secondly, any disinclination of the person interested to part with the land acquired;

thirdly, any damage sustained by him, which, if caused by a private person, would not render such person liable to a suit;

fourthly, any damage which is likely to be caused to the land acquired, after the date of the publication of the declaration under Section 6, by or in consequence of the use to which it will be put;

fifthly, any increase to the value of the land acquired likely to accrue from the use to which it will be put when acquired;

sixthly, any increase to the value of the other land of the person interested likely to accrue from the use to which the land acquired will be put;

seventhly, any outlay or improvements on, or disposal of, the land acquired, commenced, made or effected without the sanction of the Collector after the date of the publication of the 49[notification under Section 4, sub-section (1)]; or

eighthly, any increase to the value of the land on account of its being put to any use which is forbidden by land or opposed to public policy."

[Emphasis supplied]

42.1 Section 28A of the LA Act provides that where compensation in excess of the amounts awarded by the LAC is awarded by the Court to persons interested, all persons whose land is covered by the same notification, once determined judicially, shall be awarded compensation as re-determined by the

Court, regardless of whether they have made an Application for such enhancement. Section 28A of the LA Act reads as follows:

> *"**28A. Re-determination of the amount of compensation on the basis of the award of the Court. –***
>
> *(1) where in an award under this part, the court allows to the applicant any amount of compensation in excess of the amount awarded by the collector under section 11, the persons interested in all the other land covered by the same notification under section 4, sub-section (1) and who are also aggrieved by the award of the Collector may, notwithstanding that they had not made an application to **the Collector under section 18, by written application to the Collector within three months from the date of the award of the Court require that the amount of compensation payable to them may be re-determined on the basis of the amount of compensation awarded by the court**: Provided that in computing the period of three months within which an application to the Collector shall be made under this sub-section, the day on which the award was pronounced and the time requisite for obtaining a copy of the award shall be excluded.*
>
> *(2) The Collector shall, on receipt of an application under sub-section (1), conduct an inquiry after giving notice to all the persons interested and giving them a reasonable opportunity of being heard, and make an award determining the amount of compensation payable to the applicants.*
>
> *(3) Any person who has not accepted the award under sub-section (2) may, by written application to the Collector, required that the matter be referred by the Collector for the determination of the Court and the provisions of sections 18 to 28 shall, so far as may be, apply to such reference as they apply to a reference under section 18."*
>
> [Emphasis supplied]

42.2 The Supreme Court in ***Narendra*** case, while explaining Section 28A of the LA Act has held that once a particular rate of compensation is judicially determined, the benefit must be given to all, even those who could not approach the Court. It held that even in the absence of exemplars and other evidence, a higher compensation can be allowed for those whose land was acquired under the same notification. The Court explained that what needs to be kept in mind in the matter of compulsory acquisition by the Government is that the villagers whose land gets acquired are not willing parties but are

compelled to sell their land to the State for a public purpose. It was held that failing to award similar compensation would lead to lands situated in similar areas would lead to discrimination to the land owners. The relevant extract of ***Narendra*** case is below:

> *"3. In this backdrop, the question that falls for consideration is as to whether the High Court was precluded from granting compensation at the rate of Rs* ***297 per square yard which was the rate of compensation awarded to other farmers of the said village whose lands were acquired under the same Notification and were similarly situated****?*
>
> *xxx xxx xxx*
>
> *7.* ***It transpires from the bare reading of the aforesaid provision that even in the absence of exemplars and other evidence, higher compensation can be allowed for others whose land was acquired under the same notification.***
>
> *8. The purpose and objective behind the aforesaid provision is salutary in nature.* ***It is kept in mind that those landowners who are agriculturist in most of the cases, and whose land is acquired for public purpose should get fair compensation. Once a particular rate of compensation is judicially determined, which becomes a fair compensation, benefit thereof is to be given even to those who could not approach the court****. It is with this aim the aforesaid provision is incorporated by the legislature. Once we keep the aforesaid purpose in mind, the mere fact that the compensation which was claimed by some of the villagers was at lesser rate than the compensation which is ultimately determined to be fair compensation, should not be a ground to deny such persons appropriate and fair compensation on the ground that they claimed compensation at a lesser rate. In such cases, strict rule of pleadings are not be made applicable and rendering substantial justice to the parties has to be the paramount consideration.* ***It is to be kept in mind that in the matter of compulsory acquisition of lands by the Government, the villagers whose land gets acquired are not willing parties. It was not their voluntary act to sell off their land. They were compelled to give the land to the State for public purpose.*** *For this purpose, the consideration which is to be paid to them is also not of their choice. On the contrary, as per the scheme of the Act, the rate at which compensation should be paid to the persons divested of their land is determined by the Land Acquisition Collector.* ***The Scheme further provides that his determination is subject to judicial scrutiny in the form of reference to the District Judge and appeal to the High Court, etc. In order to ensure that the landowners are given proper compensation, the Act provides for "fair compensation". Once such a fair compensation is determined judicially, all landowners whose land was taken away by the same notification should become the beneficiary thereof. Not only it is an aspect of good governance, failing to do so would also amount to discrimination by***

giving different treatment to the persons though identically situated. *On technical grounds, like the one adopted by the High Court in the impugned judgment, this fair treatment cannot be denied to them."*

[Emphasis supplied]

Compensation awarded in Village Behlolpur Khadar & Jasola

43. The principal contention that has been traversed by the learned Senior Counsel/learned Counsel for the Appellants is that the compensation that has been awarded to the Appellants in the four villages of Khizrabad, Kilokari, Nangli Razapur and Garhi Mendu is not in accordance with the compensation as awarded for the villages of Behlolpur Khadar and Jasola. It is the contention of the Appellants that the acquired land while being in the *"Forward Bund"* area was still being utilized for agriculture. Relying on Section 28A of the LA Act, it is contended that the compensation as awarded for the acquired land in the adjoining villages such as Behlolpur Khadar should also be similarly awarded to the Appellants as well.

44. A similar argument was taken before the Supreme Court in the judgment of ***Om Prakash*** case. In the ***Om Prakash*** case, the notification was issued for the acquisition of 3 villages i.e., Bhorgarh, Kureni and Mamurpur, which were located side by side while, the Collector categorised the land into 3 categories, the learned Reference Court gave a finding that the land being similarly situated should be assessed uniformly. The High Court found that in several judgments, escalation had been granted on differing rates progressively. However, it also noted that market value of agricultural land was less than land which could be used for commercial purposes and enhanced the compensation in a uniform manner across 3 villages. This

compensation was upheld by the Supreme Court. The relevant extract of the ***Om Prakash*** case is below:

> *"4. On 2-6-1983, a notification was issued under Section 4(1) of the Act, whereby the lands for certain parcels situated within* ***the said area were sought to be acquired for the public purpose of construction of godowns for*** *Food Corporation of India. This was followed by a declaration under Section 6 of the Act made on 22-7-1983. Further proceedings under the Act ensued and on 5-9-1983, the Land Acquisition Collector made an award in each of the cases.* ***The Collector categorised the lands falling for acquisition into three blocks, namely, 'A', 'B' and 'C'****. He awarded a compensation of Rs. 10,000 per bigha for land in Block 'A', Rs 8000 per bigha for land in Block 'B' and Rs 5000 per bigha for land in Block 'C'. He also awarded compensation for wells, trees and structures. Not being satisfied with the compensation awarded by the Collector, the claimants moved for references under Section 18 of the Act.* ***The Reference Court by its judgment dated 12-3-1999 enhanced the market value of the acquired lands to a uniform rate of Rs 36,300 per bigha as on the date of the notification under Section 4 of the Act. It also granted other reliefs available under the Act.***
>
> *xxx xxx xxx*
>
> *6. In Civil Appeals Nos. 5708-09 of 2002, the appellant claimants have impugned the judgment of the High Court while the Union of India is in appeal in Civil Appeals Nos. 8591-92 of 2003 and civil appeals arising out of SLPs Nos. 21335, 21342-43, 23385 of 2002, 1632 and 12968 of 2003.*
>
> *7. The only question argued before us was the assessment of the market value of the acquired lands as on the date of the notification under Section 4 of the Act. No other issue was canvassed. The* ***High Court has correctly found that the topography, potentiality and advantages attached to and available to the lands in the five adjoining villages, namely, Bhorgarh, Kureni, Mamurpur, Narela and Tikri Khurd were almost the same on the date when the notification under Section 4 was issued. It also referred to the fact that in its judgment in Dharambir v. Union of India [RFA No. 554 of 1992, decided on 23-9-1996] the market value of the land had been assessed at Rs 25,000 per bigha as against the assessment made by the Reference Court @ Rs 17,500 per bigha. An appeal therefrom was carried to this Court and is the subject-matter of the decision of this Court in Union of India v. Dharambir [CA No. 4405 of 1997] . While allowing the appeal of the State Government, this Court held that Rs 16,750 per bigha was the fair market value of all categories of land situate at Village Mamurpur as on the date of the notification under Section 4 of the Act i.e. on 30-10-1963.***
>
> *xxx xxx xxx*
>
> *11. In the circumstances, the High Court was justified in working out the fair market value of the lands in question on the basis of Rs 16,750 per bigha as on*

30-10-1963. ***The High Court noticed that in several judgments of this Court escalation at different and varying rates i.e. 6% per annum from 1959 to 1965, @ 10% per annum for every year from 1966 to 1973 and @ 12% per annum from 1975 had been considered to be reasonable increase to arrive at the fair market value****, assuming that the pace of escalation during this period was normal for the entire period from 1959 onwards.* ***Since no material was placed on record to show that there was any abnormality during the period, the High Court applied the same principle to the facts and circumstances before it, and accepted increase of 10% every year progressively from 1963 to 1973 and thereafter @ 12% every year progressively up to the date of acquisition.*** *The High Court noticed in the judgment that if escalation* ***is allowed on this basis, the fair market value would be Rs 1,28,889 per bigha.*** *In case progressive increase is allowed @ 10% for the entire period, the amount will work out to Rs 1,08,397 per bigha. Allowing appreciation @ 12% for every year, not cumulatively, but at a flat rate of 12% per annum from 1963 to 1983, the amount would work out to Rs 56,112 per bigha. The High Court in its judgment under appeal pointed out that the market value of Rs 16,750 per bigha fixed in the case of Dharambir v. Union of India [RFA No. 554 of 1992, decided on 23-9-1996] was not in respect of commercial land but only of agricultural land. That the market value of agricultural land is much lower than that of land suitable for commercial purposes, is trite.* ***After having worked out the market value of the lands on various bases and keeping in view the fact that between 8-12-1982 and 2-6-1983, the lands in question had at least some commercial potentiality, the High Court decided that the fair market value of all categories of lands situated in the villages in question as on the date of acquisition should be fixed at Rs 82,255 per bigha****."*

[Emphasis supplied]

45. The Supreme Court in ***K. Periasami Vs. Sub-Tehsildar (Land Acquisition)***[26] has held that since the land of the Appellant was held by the LAC to be in a more advantageous position and a higher rate of compensation was awarded to such land, the other lands situated in the same area acquired by the same notification were also entitled to compensation at parity and the compensation was enhanced accordingly. The relevant extract of the ***K. Periasami*** case is out below:

"2. It is not disputed that the market value of lands acquired pursuant to the said notification has been determined by different Benches of the High Court such as Appeal Nos. 538 of 1987 and 1226 of 1986 titled Special Tehsildar,

[26] (1994) 4 SCC 180

Land Acquisition v. Lakshmi Ammal. The lands for which the Land Acquisition Officer had awarded at the rate of Rs 70 per cent and the civil court on reference, had enhanced such rate to Rs 850 per cent, the High Court on appeal had enhanced the rate in two cases to Rs 1000 per cent and in two other cases to Rs 1050 per cent. ***Since the lands under consideration in the present appeals are situated in the same area and were acquired under the same acquisition and the Land Acquisition Officer himself had treated the lands to be in a better advantageous position than the lands covered in the*** *other appeals, it would be clear that the lands in these appeals are possessed of better advantageous features than the lands covered by the judgment in other appeals by fixing their value at the rate of Rs 92 per cent. This fact was not noticed by the learned Judge, while disposing of the appeals, as it is observed that there is no evidence as to parity of the advantageous position of the lands to award the same compensation. The observation appears to be incorrect.* ***The treatment of the lands by the Land Acquisition Officer himself by awarding to them a rate of Rs 92 per cent in these appeals while he had awarded the rate of Rs 70 per cent of lands in the other appeals furnishes the intrinsic evidence that the lands in question are situated in a better advantageous position than the lands concerned in the other appeals. When such is the situation, the appellant also is entitled to parity of market value for the acquired lands.****"*

[Emphasis Supplied]

46. The Appellant has contended that the learned Reference Court failed to consider the exemplar which was placed on record. It was contended that the Respondents produced 5 exemplars of village Kilokari and the highest exemplar is to be considered and not by averaging the different types of sale prices for calculating compensation. Reliance was placed on the ***Anjani Molu Dessai*** case. The Supreme Court has held that where lands are sold under a sale deed and acquired lands of similar nature, there is no justification in taking the lower value of the land. The Court was discussing the under-developed or *'bharad'* lands and held that even where there are several exemplars with reference to similar lands, usually the highest exemplar, which is a bonafide transaction, is to be taken into consideration. It was further held that where the values as disclosed in sale deeds for the same area is different, these cannot be averaged out unless there are several sale deeds in

a narrow bandwidth and the proper method would be by taking the highest exemplar, unless there are strong circumstances justifying otherwise. The relevant extract of the ***Anjani Molu Dessai*** case is set out below:

> *"16. The Land Acquisition Collector however committed a serious error in deducting 45% from the sale price disclosed by the sale deed dated 30-8-1989 towards the cost of development. It is well settled that deduction for development cost has to be made only where the value of a small residential/commercial/industrial plot of land in a developed layout is made the basis for arriving at the market value of a nearly large tract of undeveloped agricultural land.* ***Where the land sold under the relied upon sale deed and the acquired lands are both of similar nature (as in this case where both are bharad lands) the question of making any deduction towards development cost to arrive at the cost of "undeveloped land" would not arise. Such a deduction would have been necessary if the sale deed relied upon related to a developed residential or commercial plot****. Therefore, we are of the view that the Land Acquisition Collector was not justified in making 45% deduction from the price disclosed by the sale deed dated 30-8-1989.*
>
> *xxxx xxxx xxxx xxxx*
>
> *19. Further, the award of the Collector specifically states that the land sold under the sale deed dated 30-8-1989 is a similar land, that is, a bharad land at a distance of 200 m. Significantly, there is no such finding that the subject-matter of the second sale dated 31-1-1990 which was one kilometre away, was a similarly situated land. The sale deed dated 31-1-1990 should therefore be inferred to be either an undervalued sale or a distress sale or at all events not a comparable sale.* ***The Land Acquisition Collector was not therefore justified in averaging the sale prices of the two sale deeds. Once it is found that the first sale deed was in regard to a comparable land and the second sale deed was not in regard to a comparable land, the second sale deed dated 31-1-1990 ought to have been excluded from consideration.***
>
> *20.* ***The legal position is that even where there are several exemplars with reference to similar lands, usually the highest of the exemplars, which is a bona fide transaction, will be considered. Where however there are several sales of similar lands whose prices range in a narrow bandwidth, the average thereof can be taken, as representing the market price. But where the values disclosed in respect of two sales are markedly different, it can only lead to an inference that they are with reference to dissimilar lands or that the lower value sale is on account of undervaluation or other price depressing reasons. Consequently, averaging cannot be resorted to. We may refer to two decisions of this Court in this behalf.***
>
> *21. In M. Vijayalakshmamma Rao Bahadur v. Collector of Madras [(1969) 1 MLJ 45], a three-Judge Bench of this Court observed* ***that the proper method for evaluation of market value is by taking the highest of the exemplars and***

not by averaging of different types of sale transactions. *This Court held: (MLJ pp. 46-47)*

> *"It seems to us that there is substance in the first contention of Mr Ram Reddy. After all when the land is being compulsorily taken away from a person, he is entitled to say that he should be given the highest value which similar land in the locality is shown to have fetched in a bona fide transaction entered into between a willing purchaser and a willing seller near about the time of the acquisition. It is not disputed that the transaction represented by Ext. R-19 was a few months prior to the notification under Section 4 that it was a bona fide transaction and that it was entered into between a willing purchaser and a willing seller. The land comprised in the sale deed is 11 grounds and was sold at Rs. 1961 per ground. The land covered by Ext. R-27 was also sold before the notification but after the land comprised in Ext. R-19 was sold. It is true that this land was sold at Rs. 1096 per ground. This, however, is apparently because of two circumstances. One is that betterment levy at Rs. 500 per ground had to be paid by the vendee and the other that the land comprised in it is very much more extensive, that is about 93 grounds or so.* ***Whatever that may be, it seems to us to be only fair that where sale deeds pertaining to different transactions are relied on behalf of the Government, that representing the highest value should be preferred to the rest unless there are strong circumstances justifying a different course.*** *In any case we see no reason why an average of two sale deeds should have been taken in this case."*
>
> [Emphasis supplied]

47. The Appellants have relied upon the evidence as placed on record by PW-7 [before the learned Trial Court] and AW-1 [before this Court] to submit that the land is only half a kilometer away from Maharani Bagh and that the village Behlolpur Khadar is adjoining village Kilokari. The Location Plan [see Map in paragraph 52.2 of this judgment] which forms part of the record does show that while village Behlolpur Khadar exists on the boundary wall of village Kilokari, villages Nangli Razapur and Garhi Mendu and are also adjacent to the village on the other side of the river while village Khizrabad borders to village Kilokari.

47.1 The contention of the Respondent, on the other hand, has been that the amounts as awarded to village Behlolpur Khadar and village Jasola could not be awarded for the villages of Kilokari, Nangli Razapur, Khizrabad and Garhi Mendu since the potentiality of the land being on the *"Forward Bunds"* and being *'Sailabi'* in nature was entirely different. However, AW-1 has deposed that the land is not submergible as they had been cultivating the land and using it for agricultural purposes.

48. The learned Reference Court in the ***Behlolpur Khadar Reference Court*** Judgm*ent*[27] had enhanced the compensation in respect of village Behlolpur Khadar based on the judgment in LAC No. 21/97 captioned ***Bharat Singh v. Union of India***[28]**.** The learned Reference Court found that the potential value of the land being in close proximity to developed areas and that it has all amenities that are reasonably capable of being put to use in the future.

48.1 Relying on the 17.03.1988 Exemplar, the Appellant/land owner had in that case contended that the market value of the acquired land on 13.11.1959 was assessed at Rs. 26,000/- per Bigha and keeping in mind the steep rise of prices around Delhi, the market value should have been capitalized at the rate of 12% since then and over 30 years would amount to Rs. 7,23,248/- per Bigha. The Respondent/Revenue had to the contrary contended that the market value should be enhanced by 3.6 times.

48.2 The learned Reference Court, however, did not accept either contention, finding the enhancement 3.6 times to be too low and 7.23 lakhs

[27] Judgment dated 04.01.2011 passed in LAC 75/2008
[28] Judgment dated 04.01.2008 passed in LAC 22/1997

per Bigha to be too high. Relying on the potentiality of the land and its close proximity to Maharani Bagh and Kalindi colony which were developed in the late 1980's and given its potential, found the market value of the land at Rs. 2.5 lakhs per Bigha. Thus, it was directed that the enhanced compensation be awarded. The relevant extract is set out below:

> *"18. The notification under Section 4 in the present case was passed on 23.06.1989. In the late eighties, land prices in Delhi had a spiral rise.* ***The distance and fertility lost significance keeping in view the potentiality of the*** *acquired land being put to the use of the planned development in the Capital city of India.* ***The land in question lies in close proximity to Maharani Bagh and Kalindi Colony.*** *In late eighties, the question of having amenities or being surrounded by developed areas can hardly be an Issue In question. In the matter of Krishna Yachendra Bahadurvaru V. The Special Land Acquisition Officer, City Improvement Trust Board, Bangalore & Ors reported in AIR 1979 SC 869,* ***the Apex Court has held that the process of determination of market value in any case must depend largely on evaluation of any Imponderables and hence it must necessarily be to some*** *extent a matter of conjecture or guess work.*
>
> *19. Keeping in view of the aforesaid factors in mind,* ***more particularly the sales of the land in almost similar areas and around the sametime and the cited Judgments, though not a conclusive proof of evidence, It would be*** *afford some basis, after taking into consideration that there is a general tendency to under-value the sales for the purpose of evading the stamp duty etc., as also the* ***compensation awarded almost 30 years ago i.e. 1959 as Rs. 26,000/- per bigha, I would quantify the market value of the land, keeping Its potential of being put to better use, at Rs. 2.5 lakh per bigha****."*
>
> [Emphasis supplied]

Proximity to developed colonies, agricultural activities and potentiality

49. The Respondent/DDA has contended that the Awards records that the acquired land is situated between two *'Forward Bunds'* and the Yamuna river and thus, there is no construction on the land and only a few trees were found available. Emphasis has thus been laid by the Respondents on the fact that the acquired land was *'Sailabi'* in nature and between the two *"Forward Bunds"* and thus had limited or no potentiality. The learned Reference Court found

that the land is not capable of any agricultural nor building construction activity and it cannot be compared with other developed lands. Thus, it was contended that the land as notified as undeveloped.

49.1 The Appellant's witness, AW-1 in his evidence clarified that *'Sailabi'* meant an area in close proximity to River Yamuna. He further clarified that the Urdu word *'Sailabi'* means flood. However, in addition, the witness clarified that the land was neither in the river bed nor in the flood plain, since that part of the land had already been de-notified under Section 48 of the LA Act on 25.05.1995. AW-1, Kailash Sharma, also deposed that he is 50 years of age and during his lifetime he has never experienced any flood or water logging in respect of the land. He further deposed that he and his family had been cultivating the land in question till it was acquired in the year 1985.

49.2 In addition, the Respondent's contention that the DLR Act was applicable to the acquired lands which would lead a reduction in the building potentiality of the lands is also without any basis. The learned Reference Court in the ***Bed Ram Reference Court*** case has given a finding that the DLR Act was not applicable to the acquired lands. This finding of the learned Reference Court has not been challenged by the Respondents.

50. The Respondents have vociferously contended that the acquired land did not have any building potentiality as no building activities were permitted in this area. Relying on the judgment in the ***Periyar*** case, it was contended that the acquired land does not have permission for building activity and that potentiality would mean the potentiality to raise buildings. It was further contended that since there was water logging in the land, no building activity

was permitted. In support of its contentions, Respondent/DDA has also referenced the Site Inspection Report dated 22.11.2006.

50.1 The Respondent's witness, who is a Naib Tehsildar of the area, in his deposition has however admitted to the proximity of the acquired lands with the developed colonies of Maharani Bagh and Kalindi colony and has also admitted to the fact that multistoried flats and DDA flats have been constructed in Siddharth Nagar and Siddharth Nagar Extension. The witness has also deposed that Nangli Razapur is opposite to Akshardham and commonwealth Games Village and situated on the other side of the Nizammudin Bridge.

51. Concededly, however, the fact that agricultural activities were permitted and were being carried out is clear even from the Inspection Report of the inspection undertaken by the learned Reference Court on 22.11.2006. The Inspection Report sets out that the officials present had stated that the land gets covered with water depending on the amount of discharge of water from the Yamuna river. However, it does state that the land appears to be utilized for agricultural purposes. In addition, it confirms that some of the khasras that were submerged or likely to be submerged had already been de-notified and the others had been acquired. The learned Reference Court has also clearly set out that the land on both sides appears to be under cultivation. The relevant extract of this report is set out below:

> *"The spot inspection has been conducted in terms of order dated 13.11.06 in the presence of officials from DDA (Sh. M. M. Rao. Director L.M), Sh. S. K. Singh (LAC South), Sh. Raj Shekhar (D.C. South), Sh. Atul Kumar (Ex. Engineer, Irrigation & Flood Control Department) who are accompanied with other team of officials from respective departments. Counsel for the petitioners as well as respondents are also present.*

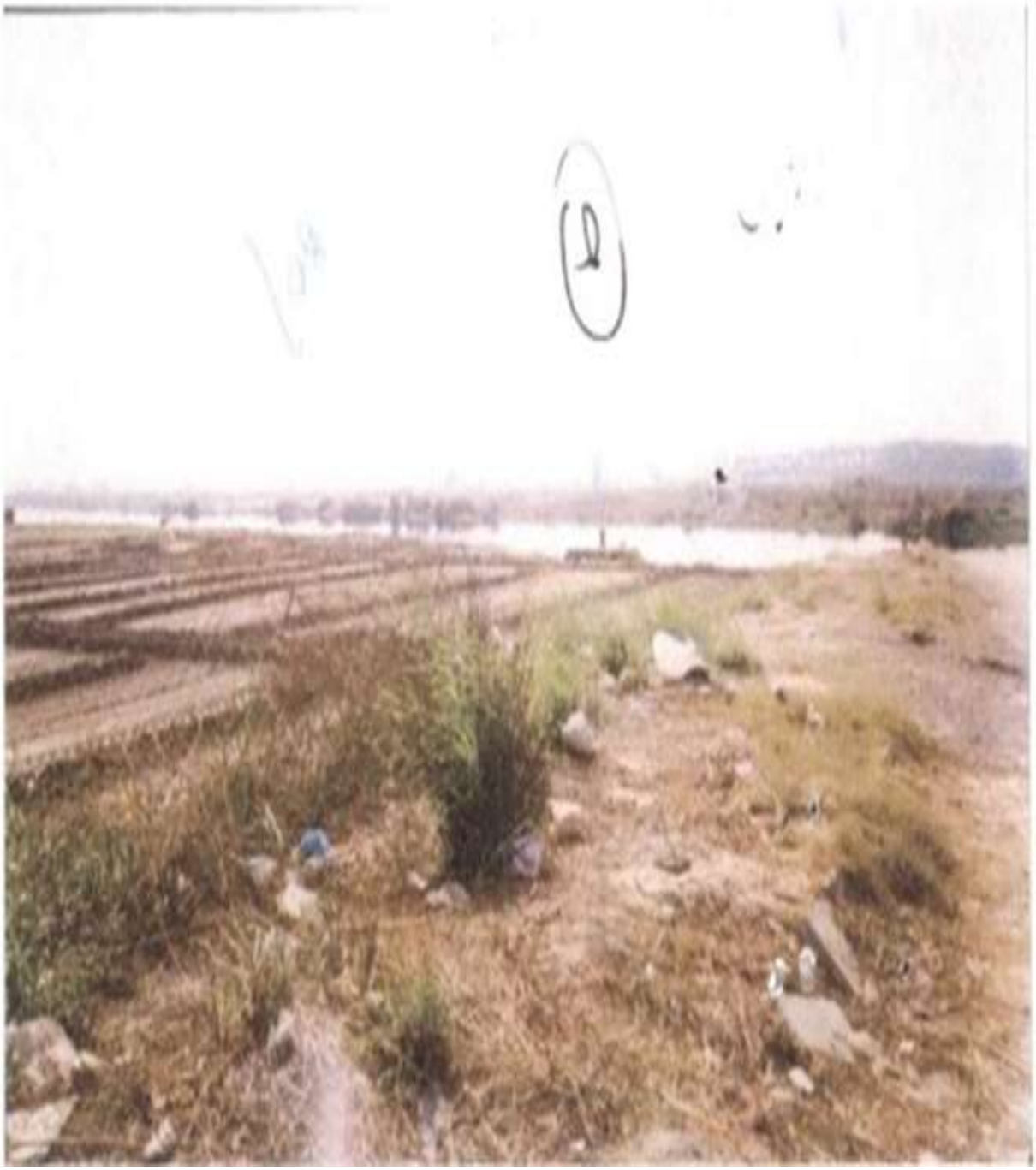
The officials led to embankment of River Yamuna in village Nanglirazapur via Marginal Bund Road through 'Pantoon Road'. ***A rough sketch i.e., Site plan by approximation; prepared by officials of DDA to give a broad idea of the location of villages has been handed over. The same is Annexure 1 and clearly depicts the location of villages Behlolpur Khadar, Nangli Razapur, Kilokari, Chakchilla, Khizrabad, Jogabai, Okhla, Jasola and Madanpur Khadar.***

A copy of site plan indicating the khasra no.'s of village Nanglirazapur has been handed over by officials of LAC South. ***The officials explained at site that some of the Khasra no's which are sub-merged or likely to be sub-merged and are adjacent to water stream had been de-notified while the others had been acquired****. The same are reflected in different shades in the site plan (Annexure II). The officials informed that the acquired land extended upto 500 meters and may be more from the stream of water which was flowing currently.* ***The land on both sides at the 'site spot' appeared to be under cultivation****. However, it is pertinent to note that officials from Irrigation and Flood Control Department informed that as and when the water level in river Yamuna crosses a mark of 204.83, the land gets covered with water, depending an amount of discharge of water in the river. It was also pointed out that owing* ***to aforesaid reasons no development has been permitted from 'Marginal Bund Road till embankment of River Yamuna (As depicted in Annexure I). It was observed that there was no substantial development except that land appears to be utilized near the site for agricultural purpose.***

Thereafter the officials led to show the approximate location of land of village Kilokari, Behlolpur and Khizrabad from Ring Road and D.N.D.Road. The officials showed that no activity/development on the land near to the embankment ***could be undertaken except for agricultural activity****. The spot inspection commenced at about 2.40 p.m and has been completed at about 4.45 p.m."*

[Emphasis supplied]

51.1 This also becomes clear from the photographs which were annexed along with the Inspection Report. These photographs evidence the cultivation of the land and reflect that agricultural activity on the land. They show dry cultivated land with some bushes and shrubs as well and that the lands appear to be irrigated. Some of these photographs are reproduced below:

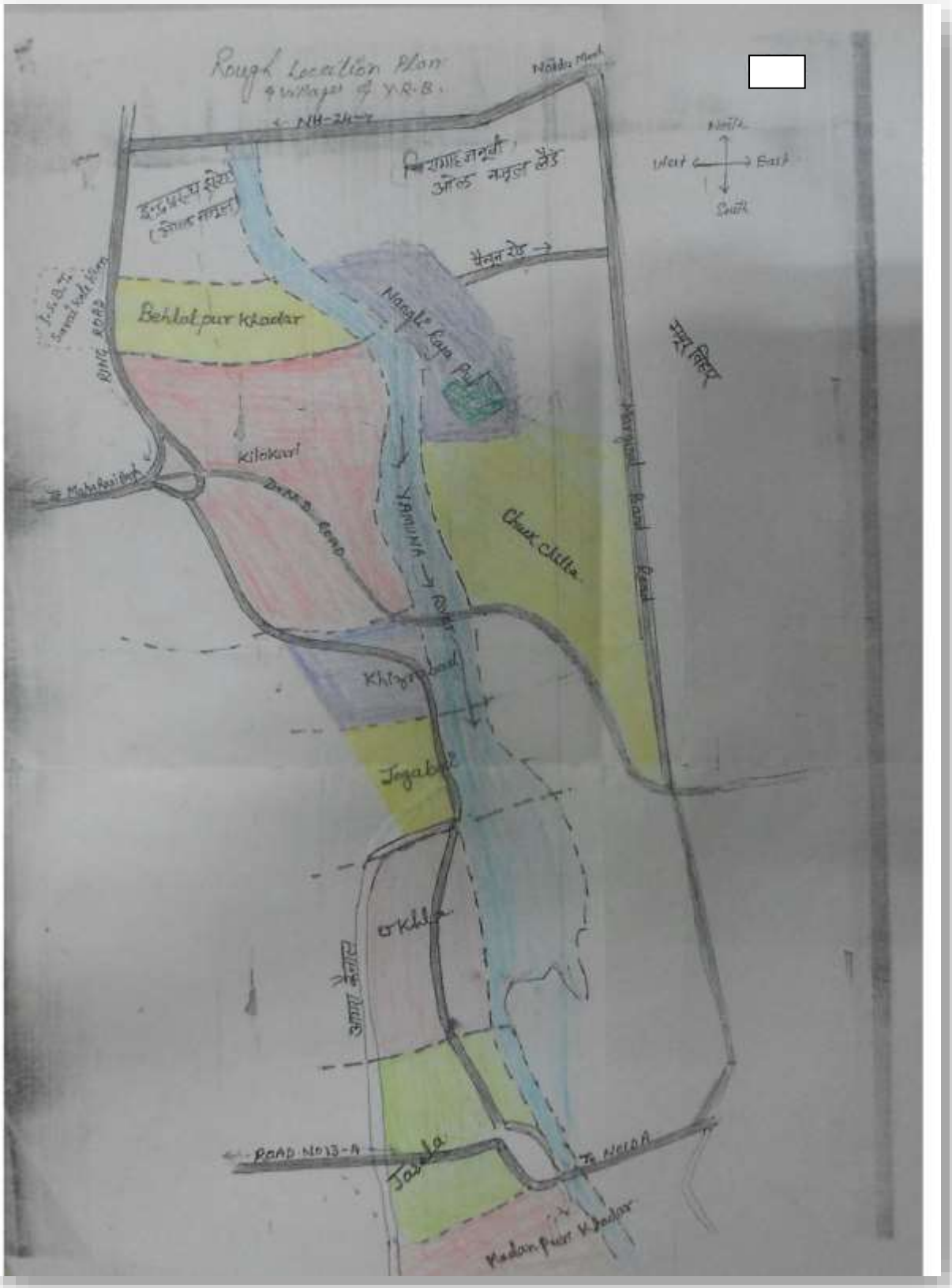


The Location Plan

52. Undisputably, the Notification was issued for the acquisition of 9 villages. At this stage, it is necessary to reproduce the rough location plan of the nine villages which was placed on record by Respondent No. 2 [hereinafter referred to as the "Location Plan"], and which has not been disputed by the parties. The Location Plan also forms part of the site Inspection Report of the Inspection conducted on 22.11.2006 by the learned Reference Court, as is discussed above.

52.1 The Village Garhi Mendu, as clarified by both parties, although not clearly marked on the Location Plan, is contained as the portion marked in green just below Village Nangli Razapur.

52.2 These villages have been shown in the Location Plan which is set out below:



52.3 The Location Plan reflects that the land of villages Khizrabad, Kilokari and Nangli Razapur were along the bank of river Yamuna as it flowed past National Highway-24 South till it passes village Khizrabad. The land of village Garhi Mendu was by the river Yamuna cross National Highway-24. The land of Kilokari and Khizrabad were on the western bank of Yamuna river while the Nangli Razapur and Chuck Chilla were on the eastern bank along with the Garhi Mendu. Village Khizrabad abuts village Kilokari on its southern side.

52.4 Village Behlolpur Khadar is also on the western bank of the river Yamuna abutting village Kilokari. Across from village Behlolpur Khadar is village Nangli Razapur on the other side of the river.

53. The Impugned Judgment has laid emphasis on the Spot Inspection Report which formed part of the record. This Court has carefully examined the location plan which was attached to the Spot Inspection Report. The location plan clearly shows the presence of the DND road running through the land at Kilokari. It also shows the fact that Behlolpur Khadar is adjacent to Kilokari as well as Nangli Razapur and Garhi Mendu. The areas, Indraprastha Estate, ISBT, Sarai Kalen Khan and Ring Road are also reflected in the location plan. The proximity to Maharani Bagh is set out as well. The learned Reference Court during his inspection seems to have laid emphasis on the fact that the officials of the LAC, South, who were present on the spot in inspection, who said that as and when the water level in river Yamuna crosses the mark of 204.83, the land gets covered with water depending on the amount of discharge. However, the officials had also explained, and which forms part of the site inspection report, that some of the Khasra numbers, which were

submerged or likely to be submerged and are adjacent to the water stream, have already been de-notified, while others acquired.

54. It cannot, however, also be denied that the land was acquired for Planned Development of Delhi and that initially 3,500 hectares of land was acquired under the 20.03.1989 Notification. It is not disputed that a large track of land forming part of village Kilokari, Behlolpur Khadar, Nangli Razapur and Chakchila was de-notified under Section 48(1) of the LA Act and on 05.11.2004, the LAC passed a detailed order assigning reasons for the de-notification since that land was either submergible or submerged. In any event, the contention of the Respondents that the land is submergible or *'Sailabi'* in nature and thus, even agricultural activities cannot take place on the land, is not borne from the record nor the evidence.

54.1 A review of the Kilokari Award also shows that the award itself states that the possession of land which was under a stay and which was submerged in the water was not taken. The reasonable assumption can thus be made that the acquired land was neither submerged nor submergible and the *'Sailabi'* land was already de-notified in the year 2004. The relevant extract of the Kilokari Award is set out below:

> *"....The possession of land under stay and submerged in the water was not taken....."*

54.2 The Appellants have also relied upon Nangli Razapur Award wherein it is noted that the entire land is being irrigated by the Yamuna river. Thus, if the land was submerged or *'Sailabi'* there would be no question of it being irrigated. The relevant extract of the Nangli Razapur Award is below:

> *"Since the entire land is being irrigated by Yamuna river water, there is no proper justification to classify the lands into Blocks as all the land is similar in quality."*

This has also been affirmed by AW-1, Mr. Kailash Verma who has stated that he has never experienced flooding or water logging in this land and that the land is being cultivated for the last 50 years.

54.3 The Location Plan also shows the proximity of the villages that have already been acquired. The acquisition in Village Jasola has been assessed at the rate of approximately Rs. 4,948/- per sq. yards while Village Behlolpur Khadar at the rate of Rs. 2.5 lakhs per Bighas. These villages are also abutting the river Yamuna.

55. The emphasis of the arguments of the Respondent/UOI has also been on the fact that there has been no development of the land and no applications have been made for change of land use. It has been averred that no evidence has been placed on record in respect of the building potentiality of the land. Reliance was placed on ***P. Ram Reddy & Ors. v. Land Acquisition Officer Hyderabad Urban Development Authority, Hyderabad & Ors.***[29]. The Supreme Court in the ***P. Ram Reddy*** case held that the '*building potentiality'* of an acquired land must be taken into account in determining its market value. The Court clarified that market value is not to be confined merely to the actual use of land at the time of acquisition, but must include the value attributable to its foreseeable potential for the possibility of development in the immediate or near future. The Court emphasised that *"building potentiality"* must be established on the basis of factors such as situation of the acquired land vis-à-vis the city growing in size, suitability for putting up the buildings, possibility of obtaining water and electric supply for occupant of buildings to be put up etc. Once building potentiality is established, the

[29] (1995) 2 SCC 305

valuation method requires consideration of both the current market value as well as the potential increase in that market value in the immediate or near future. Hence, the Court held that valuation must rest on evidence, not conjectures, and must be grounded in realistic market conditions. The relevant extract of the ***P. Ram Reddy*** case is below:

> *"8.* ***Building potentiality of acquired land.— Market value of land acquired under the LA Act is the main component of the amount of compensation awardable for such land under Section 23(1) of the LA Act.*** *The market value of such land must relate to the last of the dates of publication of notification or giving of public notice of substance of such* ***notification according to Section 4(1) of the LA Act. Such market value of the acquired land cannot only be its value with reference to the actual use to which it was put on the relevant date envisaged under Section 4(1) of the LA Act, but ought to be its value with reference to the better use to which it is reasonably capable of being put in the immediate or near future. Possibility of the acquired land put to certain use on the date envisaged under Section 4(1) of the LA Act, of becoming available for better use in the immediate or near future, is regarded as its potentiality. It is for this reason that the market value of the acquired land when has to be determined with reference to the date envisaged under Section 4(1) of the LA Act, the same has to be done not merely with reference to the use to which it was put on such date, but also on the possibility of it becoming available in the immediate or near future for better use, i.e., on its potentiality.*** *When the acquired land has the potentiality of being used for building purposes in the immediate or near future it is such potentiality which is regarded as building potentiality of the acquired land. Therefore, if the acquired land has the building potentiality, its value, like the value of any other potentiality of the land should necessarily be taken into account for determining the market value of such land.* ***Therefore, when a land with building potentiality is acquired, the price which its willing seller could reasonably expect to obtain from its willing purchaser with reference to the date envisaged under Section 4(1) of the LA Act, ought to necessarily include that portion of the price of the land attributable to its building potentiality. Such price of the acquired land then becomes its market value envisaged under Section 23(1) of the LA Act. If that be the market value of the acquired land with building potentiality, which acquired land could be regarded to have a building potentiality and how the market value of such acquired land with such building potentiality requires to be measured or determined are matters which remain for our consideration now."***
>
> [Emphasis supplied]

55.1 The Court further held that at the time of determining market value of the land acquired with building potentiality, the possibility of the acquired land used for putting up buildings in the near future has to be seen and a hypothetical layout of the building plots in the acquired land has to be prepared. It further held that whether or not the acquired land as a building potentiality as to be decided with reference to the material on record. The relevant extract is below:

> *"10.* ***Then, comes the question of determining the market value of the acquired land with building potentiality. Undoubtedly such market value of the acquired land with building potentiality comprises of the market value of the land having regard to the use to which it was put on the relevant date envisaged under Section 4(1) of the LA Act plus the increase in that market value because of the possibility of the acquired land being used for putting up buildings, in the immediate or near future****. If there is any other land with building potentiality similar to the acquired land which had been sold for a price obtained by a willing seller from a willing purchaser, such price could be taken to be the market value of the acquired land, in that, it would have comprised of the market value of the land as was being actually used plus increase in price attributable to its building potentiality. If the prices fetched by sale of similar land with building potentiality in the neighbourhood or vicinity of the acquired lands with building potentiality, as on the relevant date envisaged under Section 4(1) of the LA Act, are unavailable, it becomes necessary to find out whether any building plots laid out in a land similar to the acquired land had been sold by a willing seller to a willing buyer on or nearabout the relevant date under Section 4(1) when the acquired land had been proposed for acquisition and then to find out what would be the price which the acquired land would have fetched if it had been sold by making it into building plots similar to those sold.* ***In other words, a hypothetical layout of building plots in the acquired land similar to that of the layout of building plots actually made in the other similar land, has to be prepared, and the price fetched by sale of building plots in the layout actually made should form the basis for fixing the total price of the acquired land with building potentiality to be got if plots similar to other plots had been made in the latter land and sold by taking into account plus factors and minus factors involved in the process****.*
>
> *xxxx xxxx xxxx xxxx*
>
> ***12. Hence, whether the acquired land has building potentiality or not, while has to be decided upon reference to the material to be placed on record or made available by the parties concerned, the market value of the acquired land with building potentiality, is also required to be determined with***

reference to the material to be placed on record or made available in that regard by the parties concerned and not solely on surmises, conjectures or pure guess."

[Emphasis supplied]

56. The Supreme Court in ***P. Ram Reddy*** case has held that the potentiality of a land can be assessed to include the value attributable for its potential development in the near and immediate future. It is further held that the valuation must be raised on evidence and be granted in realistic market conditions based on the evidence placed on record.

56.1 In the present case, the existing conditions as have been set out in the evidence of the Appellants is that the areas in and around the acquired lands were developed in the early 1970s. Kalindi Kunj and Maharani Bagh started developing in the year 1970. The acquired lands in village Kilokari touches New Friends Colony, Kalindi Kunj and Maharani Bagh and other colonies of Delhi and in the vicinity of Akshardham Temple and the Commonwealth Games Village. The villages of Kilokari, Khizrabad, Nangli Razapur, Behlolpur Khadar and Jasola had already been urbanized prior to the 23.06.1989 Notification. These villages are also adjoining ITO, Ashram Chowk and the Ring Road. Thus, the Appellants have placed evidence on record in support of these contentions as well, while the Respondents have not been able to show otherwise.

57. In any event and in the context of ever-expanding city like Delhi, history shows that where once development takes place in a particular area, it usually has a ripple effect in adjoining areas. Development is not an overnight process but a gradual one. The presence of development in areas adjoining the acquired land are good parameters of potentiality.

The Exemplar

58. The 17.03.1988 Exemplar has been challenged by the Respondents to submit that the sale deed was executed at inflated prices to claim higher compensation. It has been contended that it is likely that the residents in the locality got to know of this acquisition and thus, the sale deed was executed at an inflated price to claim a higher compensation. The other ground raised is that the purchaser was not an income tax assessee and thus, a transaction was not 'above board'.

58.1 These arguments of the Respondents are liable to be rejected in view of the fact that these are based on assumptions, and no evidence has been placed on record by the Respondents in support of these contentions. The sale deed was concededly executed a year and a half prior to the 23.06.1989 Notification and is a duly registered document. The purchaser of the land was produced as a witness by the Appellants [PW-3, Vinod Kumar] and his evidence remains unimpeached.

58.2 In addition, a perusal of Clause 10 of the sale deed [which is exhibited as Ex. PW3/1] sets out that the vendor [PW-3] has obtained the required income tax clearance certificate from the office of the Income Tax in the following terms:

> *"10. That the vendor has also obtained the required income tax clearance certificate on Form No. 34-A from the office of the Income Tax, New Delhi."*

58.3 The requisite stamp duty and registration charges have also been paid on the sale deed. The purchaser of the land [PW-3] was produced as a witness and his testimony, as stated above, remains unimpeached. On the other hand, no evidence to the contrary has been placed on record by the Respondents.

59. The Appellants have relied on 17.03.1988 Exemplar to submit that when such an Exemplar was available at Rs.2,07,500/- per Bigha, the learned Reference Court could not have unilaterally reduced the market value to Rs.89,600/- per Bigha.

59.1 The learned Reference Court has relied on the assessment in the Khizrabad case. In addition, a finding was given in respect of sale exemplars. The learned Reference Court examined the 17.03.1988 sale deed, which gave a sale price at Rs.2,07,500/- per Bigha, as well as the four sale deeds produced by the Respondents where the prices varied from approximately Rs.19,440/- to Rs.52,920/-. However, the learned Reference Court held that there was no evidence to reflect a huge increase in the value of the land as was reflected in the sale deed of the Appellant, and based on the fact that the nature of land was Sailabi and relying on the Khizrabad Reference Court assessment, the learned Reference Court assessed the value of the land Rs. 89,600/- per Bigha.

60. The 17.03.1988 Exemplar is a registered sale deed, is the highest value exemplar. In terms of the judgment in the ***Anjani Molu Dessai*** case, the proper method for evaluating the market value is taking up the highest of the exemplars.

61. The learned Counsel for the Respondents have emphasized that the learned Reference Court has relied on the judgment in the ***Tindey*** case. However, in the ***Tindey*** case, there was no separate evidence made available, and the learned Reference Court ascertained the market value of the land by relying upon an earlier award of the year 1961, which allowed a 12% escalation per annum. It was also held therein that since the land was in the

river Yamuna, escalation at Rs. 1,000/- will not be reasonable. The relevant extract of the ***Tindey*** case is below:

> *"We will have to place reliance upon decision in Deewan Ram Saroop's case (supra) wherein in 1961 also acquisition had taken place for similar purpose as in the instant case and compensation was fixed at* ***Rs. 12,500/- per bigha. It is a fact that there has been increase in market value of the land. In the absence of any other material, we presume that in this locality increase must have taken place from 1961 to 1976 at a normal pace. It will not be unreasonable to allow an increase @ 12% p.a. in order to arrive at market value. In Prakash Chand Kashyap v. Union of India, AIR 1988 Delhi 316, an escalation of 12% p.a. was considered as reasonable instead of past practice*** *of Court in allowing escalation @ Rs. 1,000/- per bigha. In Rameshwar Solanki's v. Union of India, 57 (1995) DLT 410, also placing reliance on the decision in Prakash Chand Kashyap's case (supra). Divisions Bench observed that it would be appropriate to discard the past practice of this Court to give escalation @ Rs. 1,000/- per bigha and to allow escalation @ 12% p.a., which has been given following statutory provisions made by the amendments in the Act.*
>
> ***In the absence of any other material in the instant case also, we are of the view that the market value as on 10.5.1976 can be worked out by placing reliance upon the earlier award of the Court in Deewan Ram Saroop's case (supra) and by allowing 12% p.a. escalation thereon. Otherwise also as the land was situated in Yamuna, we are of the view that the past practice of allowing escalation @ Rs. 1,000/- per bigha p.a. will not be reasonable. As such, we are of the view that the market value as on 10.5.1976 would be Rs. 35,000/- per bigha.***
>
> *Consequently, we allow the appeal with proportionate costs, holding the appellants to be entitled to compensation @ Rs. 35,000/- per bigha. Over and above the amount of compensation, the appellants are also entitled to solatium @ 15% and interest @ 6% p.a. from the date of Collector taking over possession till date of making payment."*
>
> [Emphasis Supplied]

61.1 There is another distinction as well. In the ***Tindey*** case, reliance was placed by the learned Reference Court on an earlier award of 1961 which fixed compensation at Rs. 12,500/- per Bigha. The market value of the land at village Kilokari was assessed at Rs. 26,000/- per Bigha, by the Kilokari

Award in the year 1992-93 which is more than double of the assessment done in the award relied upon in the ***Tindey*** case.

62. In any event, the evidence on record does not show any justification for not relying on the 17.03.1988 Exemplary. Emphasis was laid by both the witnesses produced by the Appellants, that the acquired land was in close proximity of the colonies like Maharani Bagh and French Colony which had all civic amenities and facilities for convenience of residence.

62.1 RW1, the Naib Tehsildar, who deposed on behalf of the Respondents, deposed that there was construction on the Ring Road adjacent to the Petrol Pump in the acquired land. He further deposed that the land in Village Nangli Razapur is opposite Akshardham and commonwealth games village and situated on the other side of the Nizamuddin Bridge. A specific question was put to the witness with respect to the consortium of multi storied DDA flats in Siddharth Nagar, which is adjacent to the acquired land and during his deposition he clarified that Siddharth Nagar is adjoining area to the acquired land.

62.2 The Naib Teshsildar also deposed that there were developed DDA Flats constructed in Siddharth Nagar and Siddharth Nagar Extension and that in Indraprastha Millenium Depot is adjacent to village Behlolpur. The witness also deposed that there is water logging problem in Siddharth Nagar which was an area adjoining in the acquired land and that there is a power station which chimney on the river side of the Ring Road adjacent to the petrol pump in the acquired land. Thus, the evidence showed that despite issues of water logging and being near the river Yamuna, multi-storied flats were constructed in the proximate Siddharth Nagar and Siddharth Nagar Extension.

62.3 In addition and as stated above, the Kilokari Award itself refers to the fact that the submerged land was not acquired.

63. The Supreme Court has in the ***Anjani Molu Dessai*** case while relying on the judgment in the ***Sri Ram M. Vijayalakshmamma Rao Bahadur Ranee of Vuyyur v. Collector of Madras***,[30] held that where there are several exemplars, usually the highest transaction is to be taken into consideration, unless there are strong circumstances justifying otherwise. This Court is unable to agree with the finding of the learned Reference Court given the settled law in this behalf.

63.1 The 17.03.1988 Exemplar was available but was not considered by the learned Reference Court. There is no evidence or circumstances recorded to justify non-reliance on the 17.03.1988 Exemplar. In addition, the sale deeds that were relied upon by the Respondents were not proved in accordance with law. Although, the Respondents filed the sale deeds in evidence, however, neither the vendors nor any vendees of these sale deeds were produced. Thus, the reliance on the Respondents sale deeds to disentitle the Appellants to the 17.03.1988 Exemplar cannot be sustained. In these circumstances, the Court finds no justification for not applying the value of the 17.03.1988 Exemplar.

64. The proximity to developed/posh colonies was not denied but in fact admitted by the Respondents. The potentiality has to be seen not from actual use but to what use can it be put in foreseeable future. The land was clearly being used for agricultural purposes whether we consider Site Inspection Report or Appellant's evidence [Bed Ram son's evidence]. No evidence at all

[30] 1963 SCC OnLine SC 305

what produced by the Respondents that acquired land gets/remains repeatedly submerged.

64.1 In addition, a similar reference/assessment was done in the cases pending of the other villages as well. The Appellants in village Nangli Razapur as well as Ghari Mendu, [the Petitioners in the Bhopal Singh case], which was in respect of assessment for Village Nangli Razapur, referred to the fact that Village Nangli Razapur was next to the Nizamuddin Railway Station and had ISBT and Sarai Kalan Khan at half a kilometre away, Pragati Maidan and Connaught Place were four kilometres away. The village was touching the borders of posh colonies like Friends Colony and Maharani Bagh and it was also next to Village Behlolpur Khadar. Evidence in respect of a Petrol Pump being in existence was also placed on record.

65. There is another aspect to this as well. Although, the purpose for acquisition for the land in the villages Kilokari, Khizrabad, Nangli Razapur and Garhi Mendu was the same and all villages were adjacent and contiguous to each other, the LAC in its Awards gave a different categorisation for the land in these contiguous villages in the following terms:

Name of Village	**Categorisation of Land**
Kilokari	Sailabi
Khizrabad	Khadar
Nangli Razapur	Khadar
Garhi Mendu	Flooded land

65.1 Thus, even though the nature of the land was different, the LAC still awarded the same amount of Rs. 27,344/- per Bigha whether the land was

"flooded" as in the case of Garhi Mendu or *"khaddar"* as in the case of Khizrabad and Nangli Razapur or *'Sailabi'* as in the case of Kilokari. The categorization of all these lands in view of their potentiality and proximity to developed colonies as assessed by the LAC is the same.

65.2 The approach of LAC in awarding similar compensation in respect of village having Khadar land and flooded land [Garhi Mendu] also shows that the Government viewed the lands for potential development on an equal scale. Hence, the vast difference between the award of village Behlolpur Khadar and villages that are covered in this reference is unwarranted.

66. The Supreme Court in ***Union of India v. Bal Ram and Anr.***[31] had held that while taking into consideration the lands coming under different villages which had been acquired for the same purpose and whether the nature and quality of the lands is by and large similar, there was no justification to make any distinction between the lands lying in different villages. The Court was deciding the lands acquired in 13 villages for the Plan Development Area near the Palam Airport. The Court held that the view taken that it would be unfair to discriminate between the land owners when the purpose of acquisition is the same and the lands are identical and similar though lying in different villages, could not be interfered with. The relevant extract is below:

> *"3.* ***The ground urged before us is that in view of the decision in Kanwar Singh v. Union of India contiguity of villages could not by itself be sufficient to draw an inference of similarity in character of the lands in awarding the compensation and, therefore, the reasoning of the High Court is not correct.***
>
> *4. The High Court indeed did not rely upon the contiguity of the lands alone* ***but it found that the nature/quality of the lands is by and large similar to those lands considered in Satpal case.*** *If that is the finding of the High Court, we do not think there would be any justification to make any distinction*

[31] (2010) 5 SCC 747

between lands which had been lying in Palam and Shahbad Mohamadpur. Therefore, the view taken by the High Court cannot be faulted with. The High Court also found that it would be unfair to discriminate between the landowners to pay more to some and less to others when the purpose of acquisition is same and lands are identical and similar, though lying in different villages.

5. We find the judgment of the High Court to be fair and reasonable and no interference is called for. Therefore, the appeal stands dismissed."

[Emphasis supplied]

66.1 In matters of compulsory acquisition, the Government needs to keep in mind that the villagers whose land is acquired are not willing parties but are parties who are compelled to sell their lands to the State for public purpose. Thus, failing to award similar compensation in similar areas would lead to discrimination between the land owners.

67. The emphasis laid by the Respondents on the land being flooded or in the two *'Forward Bunds'* is also not supported by evidence by the Respondents. The Site Inspection Report of 2006 makes a reference to flooding happening on occasion; however, this too is based on the statement of the officials and without any documentary evidence. Given the amount of water logging in any part of Delhi during heavy rains, this aspect would also get diluted.

68. The Supreme Court in ***New Okhla Industrial Development Authority v. Harnand Singh (Deceased) thr. LRs & Ors.***[32] has held where there is no direct evidence of relevant sale exemplars, it is reasonable to make an informed guess or an estimation of the market value of the land acquired and

[32] (2024) SCC OnLine SC 1691

pay compensation in terms thereof. The relevant extract of ***New Okhla Industrial Development*** case is below:

> *"31.* ***Guesstimation is a heuristic device that enables the court, in the absence of direct evidence and relevant sale exemplars, to make a reasonable and informed guess or estimation of the market value of the land under acquisition, and concomitantly*** *the compensation payable by the appropriate Government. In that sense,* ***guesstimation hinges on the Court's ability to exercise informed judgment and expertise in assessing the market value of land, especially when the evidence does not tender a straightforward answer****.*
>
> *32. This principle accentuates the fundamental understanding that determining compensation for land is not a matter of exact science but involves a significant element of estimation. Indeed, this holds true for* ***valuation of land in general, which is affected by a multitude of factors such as its location, surrounding market conditions, feasible uses etc****. Accordingly, while evidence and calculations can aid in estimating the land value, they ultimately serve as tools for approximation rather than precision.* ***Instead, land valuation—and consequently the affixation of compensation— remains an exercise of informed estimation, requiring the integration of diverse data points and professional judgment concerning subjective, intangible and dynamic elements****. Pursing a single precise valuation or compensation figure is bound to be unjust, representing a rigid approach and a procrustean endeavour at best."*
>
> [Emphasis Supplied]

69. The learned Reference Court in the ***Sudesh Singh*** case in relation to the land at Village Behlolpur Khadar while relying on the sale deed dated 17.03.1988 has held that where the land acquired by notification dated 13.11.1959, the market value was assessed at Rs. 26,000/- per Bigha applying 12% compounded annually would lead to Rs. 7,23,248/- in the year 1989 while the Respondent/Land Acquisition held that the market value would have been enhanced 3.6 times from the year 1959. The learned Reference Court, however, found that both the valuations would not be correct and held that keeping in mind the potentiality of the land, the market value would be quantified at Rs. 2,50,000/- per Bigha.

70. The Supreme Court in ***Om Prakash*** case while deciding compensation in respect of three villages which were located side by side found that although the Collector had categorised the land into three categories, the learned Reference Court found that the land should be assessed uniformly. The High Court in its judgment granted escalation on different rates progressively, in view of the topography, potentiality and advantage to the land in the adjoining villages. It was held that escalation at the rates of 6%, 10% and 12% be awarded for the period from 1956 to 1965; 1966 to 1973 and 1974 to 1989 respectively would be justified to arrive at a fair market value, assuming the pace of escalation during the period from 1959 onwards. This finding and methodology was upheld by the Supreme Court.

71. In the present case, the 23.06.1989 Notification acquired the land in these villages. Of these, in village Jasola, the compensation awarded was Rs.4,948/- per sq. yards while in village Behlolpur Khadar it was Rs. 2.5 lakhs per Bigha. The 4 villages which are subject matter of these Appeals, being acquired under the same notification and being contiguous and having a similar topography and potentiality, were assessed initially by the Collector at Rs. 27,344/- and thereafter by the learned Reference Court at Rs. 89,600/- per Bigha.

72. The Collector had assessed the base value of the acquired land at Rs.26,000/- per Bigha in the year 1959. Applying a flat rate of escalation at 12% per annum up to the year of acquisition would come to Rs.1,19,600/-, which is also above the rate as awarded by the learned Reference Court as below:

PERIOD	**AMOUNT (RS.)**	**INTEREST @ 12%**	**INTEREST OF 30 YEARS + PRINCIPAL**
1959-1989	26,000/-	93,600/-	93,600 + 26,000 = 1,19,600/-

72.1 However, applying a graded rate as is done in the ***Om Prakash*** case the rate of 6%, 10% and 12%, the compensation in the present case would be assessed at Rs. 5,92,246/-per Bigha as below:

S. NO.	PERIOD	AMOUNT (IN RS.) PER BIGHA
1.	1959-1965 @ 6% Interest Per Annum	Rs. 26,000/- to Rs. 36,878/-
2.	1966-1973 @10% Interest Per Annum	Rs. 40,565/- to Rs. 79,047/-
3.	1974-1992 @ 12% Interest Per Annum	Rs. 88,532/- to Rs.5,92,246/-

73. In the present case, however, the present of the 17.03.1988 Exemplar being available and has been proved. The uncontroverted evidence that has been placed on record by the Appellants has reflected that the land was being used for agricultural purposes as discussed above. The Court thus need not look any further.

CONCLUSION

74. In view of the aforegoing discussion, this Court thus deems it apposite to award compensation to the acquired land in village Kilokari at the rate of Rs. 2,07,500/- per Bigha.

74.1 In terms of the principles laid down by the Supreme Court in ***K. Periasami*** case, the compensation awarded with respect to the acquired land at village Kilokari shall also be awarded to the land which was acquired by the same notification. Thus, the land in village Khizrabad, Nangli Razapur and Garhi Mendu shall also be entitled to the compensation at Rs. 2,07,500/- per Bigha.

75. The Appeals are accordingly allowed. The Appellants are entitled to receive compensation at the rate of Rs. 2,07,500/- per Bigha.

75.1 Since the Appellants have already received compensation at the rate of Rs. 89,600/- per Bigha, the balance amounts shall be paid to the Appellants along with interest and all other statutory benefits, in accordance with law.

76. Section 28A of the LA Act provides that where in an Award the Court allows compensation to an applicant in respect of the acquired land, all persons whose land had been similarly acquired would be awarded, the same compensation, even if they had not applied for the same. Once a particular rate of compensation is judicially determined, the benefit of such rate must be given to all persons whose land was acquired under the same Notification. Thus, all persons whose land has been similarly acquired in these four villages of Kilokari, Khizrabad, Nangli Razapur and Garhi Mendu shall also be entitled to the enhanced compensation.

77. No order as to costs.

78. The parties shall act based on the digitally signed copy of the Order.

TARA VITASTA GANJU, J

SEPTEMBER 26, 2025/ha/r