

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1410 OF 2011

PUNJAB SMALL INDUSTRIES & ... Appellant(s)
EXPORT CORPORATION

Versus

S.K. NAYYAR & ORS. ... Respondent(s)

WITH

CIVIL APPEAL No. 1411 OF 2011

CIVIL APPEAL No. 1412 OF 2011

CIVIL APPEAL No. 1413 OF 2011

CIVIL APPEAL No. 1414 OF 2011

CIVIL APPEAL No. 1415 OF 2011

CIVIL APPEAL No. 7687 OF 2011

CIVIL APPEAL No. 7688 OF 2011

CIVIL APPEAL No. 7689 OF 2011

CIVIL APPEAL No. 7690 OF 2011

CIVIL APPEAL No. 7691 OF 2011

CIVIL APPEAL No. 7692 OF 2011

CIVIL APPEAL No. 7693 OF 2011

CIVIL APPEAL No. 7694 OF 2011

CIVIL APPEAL No. 7695 OF 2011

CIVIL APPEAL No. 7696 OF 2011

CIVIL APPEAL No. 7697 OF 2011

CIVIL APPEAL No. 7698 OF 2011

CIVIL APPEAL No. 7699 OF 2011

CIVIL APPEAL No. 7700 OF 2011

CIVIL APPEAL No. 881 OF 2013

O R D E R

1. Delay, in filing the application(s) for substitution, if any, is condoned.
2. Application(s) for substitution, if any, is allowed.
3. Application(s) for impleadment, if any, is allowed.

4. Since the issues involved in all these appeals are identical, for the sake of convenience, while disposing of this batch of appeals by this common order, this Court would notice the facts only in Civil Appeal No. 1410 of 2011.

CIVIL APPEAL NO. 1410 of 2011

5. The appellants herein, that is, Punjab Small Industries & Export Corporation, aggrieved by the judgment(s) and order(s) passed by the High Court of Punjab and Haryana at Chandigarh in R.F.A. No. 2042 of 1998, dated 05.04.2007, are before us in this appeal.

6. Briefly stated, the facts in this appeal are: the *lis* pertains to the acquisition of certain lands, belonging to the respondents/land owners, by the Corporation

herein for the public purpose of establishing an Industrial focal point at Jalandhar. The State Government *vide* Notification issued under Section 4 of the Land Acquisition Act, 1894 (for short, "the Act"), had proposed to acquire the land, for the aforementioned public purpose, admeasuring 114.90 acres in village Jalandhar and 83.97 acres of land in village Godaipur, dated 27.12.1988.

7. After issuance of the said notification, and due consideration of the objections, notification under Section 6 of the Act, was duly issued by the State Government, dated 16.06.1989.

8. The Land Acquisition Collector (for short, "the Collector"), had determined the compensation for Chahi land @Rs.575/- per marla, for barani land @Rs.283/- per marla, for

banjar land @Rs.288/- per marla and for Gair Mumkin Land @Rs.288/- per marla, vide award dated 06.08.1990.

9. The land owners being dissatisfied by the award passed by the Collector filed applications before the Collector under Section 18 of the Act for referring the matters to the Court of the District Judge, Jalandhar.

10. The Reference Court passed two separate orders in regard to the matters referred to it. The Court answered the eight of the references and, after perusing the evidence on record, determined the market value of the acquired land and enhanced the compensation uniformly to @Rs.5,000/- per marla, irrespective of classification of the land, along with solatium and interest as envisaged by Sections 23(1-A), 23(2) and 27 of the Act.

11. Being dissatisfied, both land-owners as well as appellant-Corporation, filed separate appeals against the award.

12. The other references under Section 18 of the Act, against the aforesaid award of the Collector dated 06.08.1990, were answered by the Reference Court and Rs.690/- per marla was fixed as uniform compensation, irrespective of classification of the land, vide award dated 06.03.1998.

13. Aggrieved by the aforesaid award, the land owners had filed appeals for enhancement of compensation. By the impugned judgment and order, dated 05.04.2007, the High Court disposed of all the appeals by a common judgment and order and awarded uniform compensation @Rs.2,000/- per marla. That is to

say, the High Court enhanced the compensation from Rs.690/- per marla, as had been awarded by the Reference Court in its order dated 06.03.1998, to Rs.2,000/- per marla.

14. Aggrieved by the order(s) so passed by the High Court, the Punjab Small Industries & Export Corporation is before us in these appeals.

15. We have heard learned counsel for the parties to the *lis*. We have also perused the judgment(s) and order(s) passed by the High Court at the courts below.

16. The High Court, on the issue of ascertaining compensation, noticed the statement of the Deputy Commissioner with

regard to fixation of the value of land for payment of compensation, whereby the same was suggested to be @Rs.1,500/- per marla. The High Court observed that the acquired land was adjacent to the city of Jalandhar and almost falling within the urban area, and the adjoining land which was acquired almost at the same time. After duly considering all the material before it, the High Court awarded compensation @Rs.2000/- per marla with all other benefits as provided under the Act.

17. Therefore, we are of the considered opinion that the High Court has not committed any error, whatsoever, that requires our interference and decision in these appeals. In view of the above, these appeal filed by the appellant-Corporation are liable to be dismissed.

18. In the result, these appeals are dismissed accordingly. No order as to costs.

Ordered accordingly.

.....CJI.

[H.L. DATTU]

.....J.

[MADAN B. LOKUR]

.....J.

[A.K. SIKRI]

NEW DELHI,
DECEMBER 17, 2014.

ITEM NO.2

COURT NO.1

SECTION IV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 1410/2011

PUNJAB SMALL INDUS. & EXPORT CORP.

Appellant(s)

VERSUS

S.K.NAYYAR & ORS.

Respondent(s)

WITH

C.A. No. 1411/2011

(With Interim Relief and Office Report)

C.A. No. 1412/2011

(With Interim Relief and Office Report)

C.A. No. 1413/2011

(With Interim Relief and Office Report)

C.A. No. 1414/2011

(With Interim Relief and Office Report)

C.A. No. 1415/2011

(With Interim Relief and Office Report)

C.A. No. 7687/2011

(With Interim Relief and Office Report)

C.A. No. 7688/2011

(With Interim Relief and Office Report)

C.A. No. 7689/2011

(With Interim Relief and Office Report)

C.A. No. 7690/2011

(With Interim Relief and Office Report)

C.A. No. 7691/2011

(With Interim Relief and Office Report)

C.A. No. 7692/2011

(With Interim Relief and Office Report)

C.A. No. 7693/2011

(With Interim Relief and Office Report)

C.A. No. 7694/2011

(With Interim Relief and Office Report)

C.A. No. 7695/2011
(With Interim Relief and Office Report)

C.A. No. 7696/2011
(With Interim Relief and Office Report)

C.A. No. 7697/2011
(With Interim Relief and Office Report)

C.A. No. 7698/2011
(With Interim Relief and Office Report)

C.A. No. 7699/2011
(With Interim Relief and Office Report)

C.A. No. 7700/2011
(With Interim Relief and Office Report)

C.A. No. 881/2013
(With Office Report)

Date : 17/12/2014 These appeals were called on
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE A.K. SIKRI

For Appellant(s) Mr. Rishi Malhotra, Adv.

Mr. B. Narula, Adv.
Ms. S. Ramamani, Adv.

For Respondent(s) Mr. Dinesh Verma, adv.
Mr. M.L. Sharma, Adv.
Dr. Kailash Chand, Adv.

Mr. Ajay Pal, Adv.

Mr. Kuldip Singh, Adv.

Mr. Jagjit Singh Chhabra, Adv.

Mr. D.K. Bhatti, Adv.
Mr. Debasis Misra, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Delay, in filing the application(s) for substitution, if any, is condoned.

Application(s) for substitution, if any, is allowed.

Application(s) for impleadment, if any, is allowed.

The appeals are dismissed in terms of the signed order.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Asstt. Registrar

[Signed order is placed on the file]