

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2634-2671 OF 2018

STATE OF HARYANA AND ORS. ETC.

Appellant(s)

VERSUS

BANT LAL ETC.

Respondent(s)

WITH

CIVIL APPEAL NOs 2672-2688 OF 2018

J U D G M E N T

KURIAN, J.

1. The parties are before this Court disputing the land value fixed in respect of the acquired land. The State is aggrieved by the value fixed; whereas the claimants want higher compensation.

2. When the matter came up to this Court, on 02.08.2018, after extensive hearing, the following order was passed :-

*"We have heard learned counsel on both sides and also gone through the records.*

*We have given two options to the claimants.*

*First option is, as far as land acquired for water works is concerned, we will fix the value of the land at Rs.30,00,000/- (Rupees*

*Thirty Lakhs) per acre, having regard to the fact that in certain sale deeds of other persons for the similar land the same value is fixed and as far as the land acquired in Sewage Treatment Plant (STP) is concerned, the value will be slightly enhanced and may be fixed at Rs.40,00,000/- (Rupees Forty Lakhs) per acre.*

*Second option is that the Government will return the unutilised land to the claimants, and remand the matters to the High Court for appropriate fixation of land value in respect of the actual land utilised by the Government, with liberty to both the sides to lead additional evidence.*

*Post the matter on Tuesday, the 7<sup>th</sup> August, 2018 in "Miscellaneous Hearing" at the top of the Board as part-heard."*

3. Having regard to the facts and circumstances of the case, it is submitted that the second option will be the best option in the fitness of things. In the above circumstances, the appeals are disposed of as follows :-

- i) The Government will return the un-utilised land to the claimants in accordance with law.
- ii) As far as the remaining land is concerned, we set aside the fixation made by the High Court and remit

the matters to the High Court with liberty to both sides to lead additional evidence.

4. We make it clear that the first option is no reflexion on any idea of just compensation made by this Court.

5. In view of the fact that we have set aside the impugned Judgment of the High Court, it will be open to the State to approach the Reference Court for refund of the amounts already deposited in terms of the orders passed by this Court.

.....J.  
[ KURIAN JOSEPH ]

.....J.  
[ SANJAY KISHAN KAUL ]

New Delhi;  
August 10, 2018.