

ITEM NO.1502
(For judgment)

COURT NO.4

SECTION III-A

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).3674-3675/2023

NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY

Appellant(s)

VERSUS

HARNAND SINGH (DECEASED) THR. LRS.

Respondent(s)

([HEARD BY: HON. SURYA KANT AND HON. K.V. VISWANATHAN, JJ.]

IA No. 136489/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 65237/2022 - EXEMPTION FROM FILING O.T.

IA No. 136491/2021 - EXEMPTION FROM FILING O.T.

IA No. 96461/2023 - EXEMPTION FROM FILING O.T.

IA No. 65235/2022 - STAY APPLICATION)

WITH

MA 2424/2019 in SLP(C) No. 9732/2014 (XI)

IA No. 130967/2018 - APPLICATION FOR SUBSTITUTION

IA No. 130964/2018 - CLARIFICATION/DIRECTION

IA No. 130969/2018 - CONDONATION OF DELAY IN FILING SUBSTITUTION
APPLN.

IA No. 130965/2018 - EXEMPTION FROM FILING O.T.)

MA 2663/2023 in SLP(C) No. 36027/2009 (XI)

IA No. 155314/2023 - CLARIFICATION/DIRECTION

IA No. 155315/2023 - EXEMPTION FROM FILING O.T.)

MA 2404/2023 in SLP(C) No. 28146/2009 (XI)

IA No. 175823/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
THE APPLICATION FOR SETTING ASIDE THE ABATEMENT

IA No. 220331/2023 - APPLICATION FOR PERMISSION

IA No. 175817/2023 - APPLICATION FOR SUBSTITUTION

IA No. 236059/2023 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 175827/2023 - EXEMPTION FROM FILING O.T.

IA No. 175828/2023 - EXEMPTION FROM FILING SEPARATE SLP

IA No. 175820/2023 - SETTING ASIDE AN ABATEMENT)

MA 2305/2023 in SLP(C) No. 23068-23070/2010 (XI)

IA No. 176645/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
THE APPLICATION FOR SETTING ASIDE THE ABATEMENT

IA No. 176641/2023 - APPLICATION FOR SUBSTITUTION

IA No. 176589/2023 - CLARIFICATION/DIRECTION

IA No. 176590/2023 - EXEMPTION FROM FILING O.T.

IA No. 176643/2023 - SETTING ASIDE AN ABATEMENT)

MA 2402/2023 in SLP(C) No. 23900/2009 (XI)

IA No. 175987/2023 - CLARIFICATION/DIRECTION

IA No. 175993/2023 - EXEMPTION FROM FILING O.T.

IA No. 175991/2023 - EXEMPTION FROM FILING PAPER BOOKS)

MA 2600/2023 in SLP(C) No. 29597-29639/2010 (XI)

IA No. 184153/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
THE APPLICATION FOR SETTING ASIDE THE ABATEMENT

IA No. 184148/2023 - APPLICATION FOR SUBSTITUTION
 IA No. 184120/2023 - CLARIFICATION/DIRECTION
 IA No. 184124/2023 - EXEMPTION FROM FILING O.T.
 IA No. 184151/2023 - SETTING ASIDE AN ABATEMENT)
MA 2602/2023 in SLP(C) No. 29597-29639/2010 (XI)
 IA No. 184214/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
 THE APPLICATION FOR SETTING ASIDE THE ABATEMENT
 IA No. 184205/2023 - APPLICATION FOR SUBSTITUTION
 IA No. 184196/2023 - CLARIFICATION/DIRECTION
 IA No. 184198/2023 - EXEMPTION FROM FILING O.T.
 IA No. 184212/2023 - SETTING ASIDE AN ABATEMENT)
MA 2598/2023 in SLP(C) No. 29597-29639/2010 (XI)
 IA No. 184257/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
 THE APPLICATION FOR SETTING ASIDE THE ABATEMENT
 IA No. 184254/2023 - APPLICATION FOR SUBSTITUTION
 IA No. 184238/2023 - CLARIFICATION/DIRECTION
 IA No. 184240/2023 - EXEMPTION FROM FILING O.T.
 IA No. 184256/2023 - SETTING ASIDE AN ABATEMENT)
MA 2601/2023 in SLP(C) No. 29597-29639/2010 (XI)
 IA No. 184300/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
 THE APPLICATION FOR SETTING ASIDE THE ABATEMENT
 IA No. 184295/2023 - APPLICATION FOR SUBSTITUTION
 IA No. 184284/2023 - CLARIFICATION/DIRECTION
 IA No. 184286/2023 - EXEMPTION FROM FILING O.T.
 IA No. 184297/2023 - SETTING ASIDE AN ABATEMENT)
MA 2603/2023 in SLP(C) No. 29597-29639/2010 (XI)
 IA No. 184342/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
 THE APPLICATION FOR SETTING ASIDE THE ABATEMENT
 IA No. 184338/2023 - APPLICATION FOR SUBSTITUTION
 IA No. 184331/2023 - CLARIFICATION/DIRECTION
 IA No. 184336/2023 - EXEMPTION FROM FILING O.T.
 IA No. 184340/2023 - SETTING ASIDE AN ABATEMENT)
MA 2597/2023 in SLP(C) No. 29597-29639/2010 (XI)
 IA No. 184602/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
 THE APPLICATION FOR SETTING ASIDE THE ABATEMENT
 IA No. 184594/2023 - APPLICATION FOR SUBSTITUTION
 IA No. 184579/2023 - CLARIFICATION/DIRECTION
 IA No. 184580/2023 - EXEMPTION FROM FILING O.T.
 IA No. 184596/2023 - SETTING ASIDE AN ABATEMENT)
 MA 2604/2023 in SLP(C) No. 29597-29639/2010 (XI)

IA No. 184648/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
 THE APPLICATION FOR SETTING ASIDE THE ABATEMENT
 IA No. 184638/2023 - APPLICATION FOR SUBSTITUTION
 IA No. 184623/2023 - CLARIFICATION/DIRECTION
 IA No. 184624/2023 - EXEMPTION FROM FILING O.T.
 IA No. 184643/2023 - SETTING ASIDE AN ABATEMENT)
MA 2596/2023 in SLP(C) No. 29597-29639/2010 (XI)
 IA No. 184743/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
 THE APPLICATION FOR SETTING ASIDE THE ABATEMENT
 IA No. 184738/2023 - APPLICATION FOR SUBSTITUTION
 IA No. 184732/2023 - CLARIFICATION/DIRECTION
 IA No. 184733/2023 - EXEMPTION FROM FILING O.T.

IA No. 184742/2023 - SETTING ASIDE AN ABATEMENT)
MA 2606/2023 in SLP(C) No. 29597-29639/2010 (XI)
 IA No. 184763/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
 THE APPLICATION FOR SETTING ASIDE THE ABATEMENT
 IA No. 184758/2023 - APPLICATION FOR SUBSTITUTION
 IA No. 184756/2023 - CLARIFICATION/DIRECTION
 IA No. 184757/2023 - EXEMPTION FROM FILING O.T.
 IA No. 184761/2023 - SETTING ASIDE AN ABATEMENT)
MA 2605/2023 in SLP(C) No. 29597-29639/2010 (XI)
 IA No. 184864/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
 THE APPLICATION FOR SETTING ASIDE THE ABATEMENT
 IA No. 184859/2023 - APPLICATION FOR SUBSTITUTION
 IA No. 184849/2023 - CLARIFICATION/DIRECTION
 IA No. 184852/2023 - EXEMPTION FROM FILING O.T.
 IA No. 184862/2023 - SETTING ASIDE AN ABATEMENT)
MA 2416/2019 in SLP(C) No. 25328-25360/2010 (XI)
 IA No. 130849/2018 - APPLICATION FOR SUBSTITUTION
 IA No. 130841/2018 - CLARIFICATION/DIRECTION
 IA No. 130853/2018 - CONDONATION OF DELAY IN FILING SUBSTITUTION
 APPLN.
 IA No. 130847/2018 - EXEMPTION FROM FILING O.T.)
MA 2418/2019 in SLP(C) No. 25328-25360/2010 (XI)
 IA No. 130904/2018 - APPLICATION FOR SUBSTITUTION
 IA No. 130899/2018 - CLARIFICATION/DIRECTION
 IA No. 130905/2018 - CONDONATION OF DELAY IN FILING SUBSTITUTION
 APPLN.
 IA No. 130902/2018 - EXEMPTION FROM FILING O.T.)
MA 2412/2019 in SLP(C) No. 30610/2010 (XI)
 IA No. 130932/2018 - APPLICATION FOR SUBSTITUTION
 IA No. 50870/2019 - APPLICATION FOR SUBSTITUTION
 IA No. 130925/2018 - CLARIFICATION/DIRECTION
 IA No. 130935/2018 - CONDONATION OF DELAY IN FILING SUBSTITUTION
 APPLN.
 IA No. 50871/2019 - CONDONATION OF DELAY IN FILING SUBSTITUTION
 APPLN.
 IA No. 130928/2018 - EXEMPTION FROM FILING O.T.)
MA 2413/2019 in SLP(C) No. 20397/2010 (XI)
 IA No. 130955/2018 - APPLICATION FOR SUBSTITUTION
 IA No. 69259/2023 - APPLICATION FOR SUBSTITUTION
 IA No. 130952/2018 - CLARIFICATION/DIRECTION
 IA No. 130958/2018 - CONDONATION OF DELAY IN FILING SUBSTITUTION
 APPLN.
 IA No. 69260/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION
 APPLN.
 IA No. 130954/2018 - EXEMPTION FROM FILING O.T.)
MA 2417/2019 in SLP(C) No. 25328-25360/2010 (XI)
 IA No. 134771/2018 - CLARIFICATION/DIRECTION
 IA No. 134773/2018 - EXEMPTION FROM FILING O.T.)
MA 2414/2019 in SLP(C) No. 25328-25360/2010 (XI)
 IA No. 134781/2018 - CLARIFICATION/DIRECTION
 IA No. 221806/2023 - EXEMPTION FROM FILING O.T.
 IA No. 134782/2018 - EXEMPTION FROM FILING O.T.)
 MA 2415/2019 in SLP(C) No. 25328-25360/2010 (XI)

IA No. 50962/2022 - APPLICATION FOR SUBSTITUTION
 IA No. 142179/2018 - CLARIFICATION/DIRECTION
 IA No. 142181/2018 - EXEMPTION FROM FILING O.T.)
MA 2421/2019 in SLP(C) No. 25328-25360/2010 (XI)
 IA No. 9231/2023 - APPLICATION FOR SUBSTITUTION
 IA No. 142198/2018 - CLARIFICATION/DIRECTION
 IA No. 142201/2018 - EXEMPTION FROM FILING O.T.)
MA 2420/2019 in SLP(C) No. 25328-25360/2010 (XI)
 IA No. 142221/2018 - CLARIFICATION/DIRECTION
 IA No. 142222/2018 - EXEMPTION FROM FILING O.T.)
MA 2419/2019 in SLP(C) No. 25328-25360/2010 (XI)
 IA No. 142238/2018 - CLARIFICATION/DIRECTION
 IA No. 142240/2018 - EXEMPTION FROM FILING O.T.)
C.A. No. 3869/2023 (III-A)
 IA No. 171262/2019 - EXEMPTION FROM FILING O.T.
 IA No. 155937/2019 - EXEMPTION FROM FILING O.T.
 IA No. 196306/2019 - EXEMPTION FROM FILING O.T.
 IA No. 196305/2019 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 171261/2019 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES)
SLP(C) No. 20251/2023 (XI)
 IA No. 113044/2023 - EXEMPTION FROM FILING O.T.)
MA 2607/2023 in SLP(C) No. 29597-29639/2010 (XI)
 IA No. 184665/2023 - CLARIFICATION/DIRECTION
 IA No. 184668/2023 - EXEMPTION FROM FILING O.T.)
C.A. No. 3676-3688/2023 (III-A)
 IA No. 146430/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT
 IA No. 146429/2019 - EXEMPTION FROM FILING O.T.
 IA No. 195408/2019 - EXEMPTION FROM FILING O.T.
 IA No. 195405/2019 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 146431/2019 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES)
MA 2423/2019 in SLP(C) No. 25328-25360/2010 (XI)
 IA No. 134802/2018 - CLARIFICATION/DIRECTION
 IA No. 134805/2018 - EXEMPTION FROM FILING O.T.)
MA 2422/2019 in SLP(C) No. 25328-25360/2010 (XI)
 IA No. 134812/2018 - CLARIFICATION/DIRECTION
 IA No. 134814/2018 - EXEMPTION FROM FILING O.T.)
MA 2411/2019 in SLP(C) No. 23068-23070/2010 (XI)
 IA No. 100923/2020 - APPLICATION FOR PERMISSION
 IA No. 134823/2018 - CLARIFICATION/DIRECTION
 IA No. 100924/2020 - EXEMPTION FROM FILING O.T.
 IA No. 134824/2018 - EXEMPTION FROM FILING O.T.)
MA 274/2021 in SLP(C) No. 9732/2014 (XI)
 IA No. 100898/2020 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 100899/2020 - EXEMPTION FROM FILING O.T.)
Diary No(s). 9072/2024 (XI)
 (IA No.56085/2024-CONDONATION OF DELAY IN FILING and IA
 No.56092/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

and IA No.56088/2024-APPLICATION FOR SUBSTITUTION and IA No.56087/2024-EXEMPTION FROM FILING O.T. and IA No.56093/2024-PERMISSION TO FILE PETITION (SLP/TP/WP/..) and IA No.56091/2024-APPLICATION FOR CONDONATION OF DELAY IN FILING THE APPLICATION FOR SETTING ASIDE THE ABATEMENT and IA No.56089/2024-APPLICATION FOR ABATEMENT)

Date : 10-07-2024 These matters were called on for judgment today.

For Appellant(s) Mr. Praveen Swarup, AOR

Mr. Ravindra Kumar, Sr. Adv.
Mr. Rachit Mittal, AOR
Mr. Parish Mishra, Adv.
Mr. Adarsh Srivastava, Adv.

Mr. Ravindra Kumar, Sr. Adv.
Mr. Vipin Kumar Saxena, Adv.
Mr. Binay Kumar Das, AOR
Ms. Priyanka Das, Adv.
Ms. Neha Das, Adv.
Mr. Shivam Saxena, Adv.

M/S. Anuradha & Associates, AOR
Mr. Shrivandit Mishra, Adv.
Mr. Suraj, Adv.

Dr. Rajeev Sharma, AOR
Mr. Prashant Sharma, Adv.
Mr. Raghuvir Sharma, Adv.
Mr. Dharmendra Sharma, Adv.
Mr. Vipin Kumar Sharma, Adv.
Mrs. Devjani Dekka Bharali, Adv.

Mr. Shekhar Kumar, AOR

For Respondent(s) Mr. Praveen Swarup, AOR

Dr. Rajeev Sharma, AOR
Mr. Prashant Sharma, Adv.
Mr. Raghuvir Sharma, Adv.
Mr. Dharmendra Sharma, Adv.
Mr. Vipin Kumar Sharma, Adv.
Mrs. Devjani Dekka Bharali, Adv.

Mr. Ravindra Kumar, Sr. Adv.
Mr. Binay Kumar Das, AOR

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

Hon'ble Mr. Justice Surya Kant pronounced the judgment of

the Bench comprising His Lordship and Hon'ble Mr. Justice K.V. Viswanathan.

The application for permission to file the SLP is allowed.

Delay condoned.

The applications for setting aside abatement and the applications for substitution are also allowed.

Leave granted.

The present factual situation had three set of cases - appeals filed by the landowners, appeals filed by NOIDA, and the Miscellaneous Applications filed by the landowners. Without disturbing the ratio of *Bir Singh (supra)* and the compensation granted to landowners therein, and with a view to put a *quietus* on this long-standing dispute, the landowners' appeals are allowed in part; the appeals by NOIDA authorities against the grant of compensation are also allowed in part, such that the rate of compensation is enhanced from INR 340 per sq. yd. to INR 403 per sq. yd. and where the High Court has, following *Bir Singh (supra)* granted compensation at INR 449 per sq. yd., the same is reduced to INR 403 per sq. yd.

The enhanced compensation amount shall be deposited with the Reference Court within a period of eight weeks. It shall then be disbursed to the claimants at the earliest.

All the matters stand disposed of in the aforementioned terms and directions.

Pending interlocutory applications, if any, also stand disposed of.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR

(Signed reportable judgment is placed on the file)