

Hari Chand Vs. Union of India

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Court : Delhi

Decided On : Aug-05-1991

Reported in : 45(1991)DLT61

Judge : Sunanda Bhandare and; C.M. Nayar, JJ.

Acts : [Land Acquisition Act, 1894](#) - Sections 4

Appeal No. : Regular First Appeal No. 279 of 1980

Appellant : Hari Chand

Respondent : Union of India

Advocate for Pet/Ap. : R.B. Tahilramani and; Sashi Kiran, Advs

Judgement :

Sunanda Bhandare, J.

(1) This appeal is directed against the judgment and order of the Additional District Judge, Delhi dated 13.5.1980 whereby the market value of the land of the claimants in village Ali was fixed at Rs. 5000.00 per bigha for Block A.

(2) After the reference was decided in the present case by the Additional District Judge, this Court in Rfa 383/1976 (Jagmal & Another v. Union of India Etc.) decided on 9.1.1985 has fixed the market value of the land in Village Ali at Rs.

17,000.00 . The notification under Section 4 of the Land Acquisition Act in that case was dated 12.6.1969.

(3) In the present case, the notifications under Sections 4, 6 and 17 of the Land Acquisition Act were issued on the same date i.e. on 27.7.1973. Since this Court has fixed the market value of the land in Village Ali at Rs. 17,000.00 per bigha in respect of the notification issued in the year 1969, the appellants herein are entitled to get compensation(c) Rs. 21,000.00 per bigha taking into consideration the lapse of 4 years between the notification issued in Rfa 383 of 1976 and the present appeal. The market value of the appellant's land is fixed at Rs. 21.000.00 per bigha.

(4) In addition to the market value the appellants will be entitled to solarium @ 15% on the market value and interest @ 6% per annum on the enhanced compensation from the date of dispossession till payment. The appellants will also be entitled to costs. Cm 922/91

(5) Allowed, The appellants will file the amended grounds of appeal and additional Court fee within three weeks from today. The Registry will prepare the decree thereafter.

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