

(1995) 11 SC CK 0048
In the Supreme Court Of India
Case No : Civil Appeal No. 8627 of 1983

Jagdish Singh

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 01-11-1995

Acts Referred:

Citation : (1995) 9 JT 563 : (1995) 6 SCALE 433 : (1995) 4 SCC 628 Supp : (1995) 4 SCR 715 Supp

Hon'ble Judges : K. Ramaswamy, J;B. N. Kirpal, J

Bench : Division Bench

Advocate : K.B. Rohtagi and Baldev Atreya, for the Appellant; Surichi Agarwala, Indu Malhotra and S.M. Ashri, for the Respondent

Final Decision : Dismissed

Judgement

K. Ramaswamy and B.N. Kirpal, JJ.—The Land Acquisition Officer divided the land into two Blocks, i.e., Block 'A' and Block 'B' and awarded Rs. 25,000 per acre for Block 'A' and Rs. 15,000 per acre for Block 'B'. The Reference Court made four blocks and awarded compensation @ Rs. 10 per sq. yard for first Block and proportionately decreased the value for the other blocks. On appeal, the High Court made the uniform rate of Rs. 10 per sq. yard for entire land and disposed of the appeals accordingly. Feeling aggrieved, the appellant has filed this appeal from that batch by special leave.

2. Mr. Rohtagi, learned Counsel for the appellant, strenuously contended that the value of the land is much more than what was given and it is a matter where the appellant is entitled to get higher compensation. We do not find any force in this contention. Whether the land is capable of fetching higher market value than @ Rs. 10 per sq. yard depends on pure appreciation of evidence on record. The reference court and learned Single Judge have gone into the question and held that the land can fetch the maximum price of Rs. 10 per sq. yard for the entire zone to the extent of 19 Bighas and 3 Biswas. The State Government did not file any appeal in this Court or High Court. It being a pure question of fact on

appreciation of evidence, we cannot re-appreciate the evidence and come to our own conclusion in the absence of application of any wrong principle of law.

3. It is next contended that the appellant had constructed a house at a cost of Rs. 20,000 but only a sum of Rs. 6,000 was awarded and, therefore, he is entitled for higher compensation. This also is based on factual matrix and appreciation of evidence by all the Courts. We do not think that we would be justified to interfere with the value fixed at Rs. 6,000 for the construction of house.

4. The appeal is accordingly dismissed, but, in the circumstances, without costs.