
(2016) 02 SC CK 0173

In the Supreme Court Of India

Case No : Civil Appeal Nos. 1506-1517 of 2016 (Arising out of SLP (C) Nos. 25237-25248/2015)

Pradeep Kumar and Others

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 16-02-2016

Acts Referred:

Land Acquisition Act, 1894 — Section 4

Citation : (2016) 3 JT 306 : (2016) 6 SCC 308

Hon'ble Judges : Anil R. Dave, Shiva Kirti Singh and A.K. Goel, JJ.

Bench : Full Bench

Advocate : Kamini Jaiswal, Akhilesh Kalra, Rohit Kumar Singh, Sumeet Sharma and Kirti Kumar, Advocates, for the Appellant; Pramod Swarup, Sr. Adv., Alka Sinha, Advocate for Anuvrat Sharma, Advocate and Ravindra Kumar, Advocate, for the Respondent

Final Decision : Allowed

Judgement

Anil R. Dave, J.—1. Leave granted.

2. Heard the learned Counsel appearing for the parties.

3. In our opinion certain aspects with regard to the valuation and location of the land have not been properly discussed and therefore, the matters require reconsideration by the High Court. For instance, we may say that the Notification Under Section 4 of the Land Acquisition Act, 1894, had been issued on 10th March, 1988. The Appellants have been awarded compensation @ Rs. 135/- per square yard for the land belonging to them, whereas in respect of certain land, said to be similarly situated, which had been acquired in the year 1986, compensation of Rs. 297/- per square yard had been awarded.

4. We are of the view that the afore-stated aspects have not been clarified because normally the price of the land goes on increasing, but the reason as to why lesser amount has been given to the Appellants, has not been properly

explained in the impugned judgment.

5. Be that as it may, the afore-stated fact and some other facts ought to have been discussed in detail. Therefore, we set aside the impugned judgment and remand the cases to the High Court so that they may be reconsidered by the High Court. The appeals are allowed with the above observations with no order as to costs. Pending application, if any, stands disposed of.

6. We are sure that the High Court will decide the matters at an early date. The parties shall appear before the High Court on 28th March, 2016, so that date for hearing can be decided on that day.

7. Registry to send intimation of this order to the High Court.

8. The learned Counsel appearing for the Appellants had made a grievance that till today no compensation has been paid to the land owners. If it is so, we are sure that the amount which has been awarded by the Reference Court shall be paid to the Appellants as soon as possible, preferably within a period of three months from today.