

## **Union Of India (Uoi) vs Bal Ram And Anr. on 20 January, 2004**

**Equivalent citations: AIR2004SC3981, AIR 2004 SUPREME COURT 3981, 2010 (5) SCC 747, 2004 AIR SCW 4355, 2004 (2) SLT 628, (2004) 2 KER LJ 747, (2004) 4 ICC 113**

**Bench: S. Rajendra Babu, G.P. Mathur**

### **JUDGMENT**

1. Pursuant to notification issued under Section 4 of the Land Acquisition Act on 27-1-1984, lands in 13 villages were acquired and Shahbad Mohamadpur was also one such village. The High Court taking into consideration that certain other lands coming under different villages which had been acquired for the same purpose, namely Plan Development Area around Palam Airport in the vicinity of Delhi, found that compensation under market value of Rs. 47,224 per bigha would be reasonable and appropriate. In doing so, the High Court followed a decision of this Court in Satpal v. Union of India, . The ground urged before us is that in view of the decision in Kunwar Singh v. Union of India, contiguity of villages could not by itself be sufficient to draw an inference of similarity in character of the lands in awarding the compensation and, therefore, the reasoning of the High Court is not correct. The High Court indeed did not rely upon the contiguity of the lands alone but it found that the nature/quality of the lands is by and large similar to those lands considered in Satpal's case. If that is the finding of the High Court, we do not think there would be any justification to make any distinction between lands which had been lying in Palam and Shahbad Mohamadpur. Therefore, the view taken by the High Court cannot be faulted with. The High Court also found that it would be unfair to discriminate between the land owners to pay more to some and less to others when the purpose of acquisition is same and lands are identical and similar, though lying in different villages, we find the judgment of the High Court to be fair and reasonable and no interference is called for. Therefore, the appeal stands dismissed.

2. Rest of the matters shall stand dismissed in view of the order passed in C.A. No. 7459/1999.