

PETITIONER:
SHRI JAGDISH SINGH

Vs.

RESPONDENT:
STATE OF HARYANA & ORS.

DATE OF JUDGMENT 01/11/1995

BENCH:
RAMASWAMY, K.
BENCH:
RAMASWAMY, K.
KIRPAL B.N. (J)

CITATION:
1995 SCC Supl. (4) 628 JT 1995 (9) 563
1995 SCALE (6) 433

ACT:

HEADNOTE:

JUDGMENT:

O R D E R

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.

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 of 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.

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.

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

JUDIS