166

IN THE COURT OF SHRI P.D.KHURANA, P.C.S., LAND ACQUISITION COLLECTOR (NAPELA CIRCLE): DELHI.

OFFER NO. 1779
Case No 1-12

Name of the village: Bhoodpur Bejapur.

Nature of Acquisition: Temporary.

The land situated in village Bhoodpur Bejapur is required for temporary occupation and use for a public purpose, namely, for closing cuts in Bawana Escape. The Delhi Admn., Delhi vide notification No.F.15(84)/64-LSG dated 11th December, 1964 directed the Land Acquisition Collector to procure the occupation and use of the land for a period of one year from the commencement of such occupation and use under the provisions of section 35(1) of the Land Acquisition Act (I), 1894.

Notices as required under the Law were issued to the interested persons. The interested persons filed the objections.

MEASUREMENT:

According to the Notification, the area to be acquired is 51 Bighas 10 Biswas, comprising of field Nos. 355, 357, 367, 370, 374, 376min., 377, 378min., 379min., 381, 396min., and 399min. The ownership of the land is as under:-

S.No.	Name of the owner.	Khasra No.	Area Big.Bis.	Kind of land.
1.	Chandgi Ram son of Abhey Ram.	357	4-16	Rosli
		370	4-16	Rosli
2.	Risal Singh son of Abhey Ram.	355	5-16	Rosli
		396 min.	2-08	Bhood
3.	Tika, Ram Pat sons of Shiba.	367	6-10	Rosli
4.	Gandharb Singh son of Munshi Ram, Hakim Rai s/o Devi Ditta Ram, Karan Singh s/o Kishan Singh.	399 min.	2-08	Bhood
5.	Bhagwana son of Balla	379 min.	2-08	Bhood
		381	4-16	-do-
		374	6-08	-do-
		376 min.	2-00	-do-
6.	Chainu s/o Nathan	377	3-09	-do-
		378 min.	5-15	-do-
	Total:		51-10	

contd...2.

167

CLASSIFICATION OF AREA:

1. Rosli: 21-18
2. Bhood: 29-12

CLAIMS:

Thakar Das son of Sant Ram requested compensation @ Rs.2,000.00. He has produced a copy of sale-deed vide which he purchased 5 Bighas and 8 Biswas of land out of field No.377 and 378 from Chainu for Rs.3,000 in 1963. The land has not so far been mutated in his favour and still stands in the name of the previous owners. The amount of compensation will remain in dispute and paid to the claimant in respect of his share as and when he produces a copy of the mutation.

2. Chandgi Ram son of Abhey Ram has requested that his land bearing field Nos. 357 and 370 may not be acquired since the land is agricultural land. In case of acquisition, he has requested compensation @ Rs.4400-4500 per bigha as full cost of land.

3. Hakim Rai, Gandharwa Singh and Karan Singh claimed Rs.15,000.00 for digging out earth in respect of field No.399, Rs.1,500.00 for damage to crops, Rs.300.00 for manure and Rs.4,000.00 for loss to construction. There is no crop on the spot in field No. 399 and there is no structure at all. Hence question for compensation of crop and loss to construction does not arise.

4. Tika, Ram Pat sons of Shiba have claimed compensation @ Rs.4400-4500 per bigha as full cost of land in respect of field No.367.

5. Bhagwana son of Balla requested for release of his land. In case of acquisition claims Rs.5,000.00 per bigha as full cost of land.

6. Chainu son of Natha requested compensation @ Rs.4400-450 per bigha as full cost of land in respect of field No.377 and 378. From the claim of Shri Thakar Dass it appears that he (Chainu) has sold some portion of land out of these two

contd...3.

162

field numbers and it has not been mutated in favour of Shri Thakar Dass. The compensation for this land will remain in dispute for the present.

7. Fisal son of Abhey Ram requested compensation @ Rs.4400-4500 per bigha as full cost of land.

C O M P E N S A T I O N :

This village is covered by Delhi Land Reforms Act of 1954 and no land is entered on rent in the Revenue Record.

No land has been acquired in this village so far. Market value of land under acquisition can be determined on the basis of mutation No.324 and copy of sale-deed presented by Shri Thakar Das, claimant, details of which are as under:-

S.No.	Mutation No.	Date of Regd.	Field No.	Price	Average per bigha.
1.	324	14-6-60	394, 398, 399 (15-11)	Rs.15550.00	Rs.1000.00
2.	324 (Copy of sale-deed presented by Sh. Thakar Das)	15-5-63	377, 378 (5-08)	Rs.3,000.00	Rs.555.55

Considering the nature of acquisition, the average sale, the value of land is assessed at Rs.1,000.00 per bigha for the land under acquisition. Calculating at the rate of 6 % per annum on the market value, i.e. Rs. 1,000.00 per bigha the rent comes to Rs.60.00 per bigha per annum. I assess the same as rent per year. Since the land is acquired for digging out earth for strengthening the banks of the canal, I am of the view that Rs.60.00 per bigha on this account will be reasonable compensation for taking out the earth upto 3 ft. depth and I assess the same accordingly. Thus the total rent would be Rs. 120.00 per bigha for one year. Total amount of compensation for land under acquisition would thus work out at Rs.6180.00 which I offer accordingly. In case the acquiring department does not dig out earth from any portion of land, the compensation for such area be not given to the owners, however, they will be entitled to receive rent for their land. If possession is not taken over, they will not be entitled to receive rent.

contd....4.

160

POSSESSION:

From the inspection of site it is found that the earth has been dug out from field No.376, 377, 378, 379, 396 and 399. No earth has been dug out from the remaining field numbers. The possession of the above field numbers appears to have been taken over by Canal Department when the notification was issued. The period of one year for these field numbers will start from the date of notification whereas in the case of remaining land one year will be counted from the date of taking over actual possession. The acquiring department will return possession to owners and interested persons after the expiry of one year.

Prabh Dyal Khurana 9/3/65

(PRABH DYAL KHURANA)
LAND ACQUISITION COLLECTOR (NARELA)
DELHI.

Submitted to the Collector (Land Acquisition), Delhi for information.

Prabh Dyal Khurana 9/3/65

(PRABH DYAL KHURANA)
LAND ACQUISITION COLLECTOR (NARELA)
DELHI.

358/ADM(L-A)
10-3-65

Seen
Addl: Collector, Delhi
10.3.65

The offer ... 20th March, 1965 ...

Amount received ... dated 7.7.65

30.6.65