

A W A R D No.

1/73-74

Name of the Locality:-

Mohan Park
(village Dhir Pur)

Nature of acquisition:

Permanent

Purpose of acquisition:

Electric Sub Station.

INTRODUCTION

300 sq.yds of land in Mohan Park was notified u/s 4 vide notification No. F.15(46)/65-LSG-L&H dated 22nd July, 1966 as it is required for public purpose namely for an Electric Sub Station at the expense of Municipal Corporation of Delhi. The substance of this notification was given due publicity but no objection u/s 5-A was received.

The report was submitted to the Delhi Administration and declaration u/s 6 of Land Acquisition Act was issued vide notification No. F.15(46)/65-LSG-L&H dated 28.2.67 in respect of 300 sq.yds of land involved in plots No. 36 B to 38 B. Subsequently, the Delhi Electric Supply Undertaking, Municipal Corporation of Delhi intimated vide letter No. L-1(83)/RO/D/2647 dated 12.7.67 that plot No. 37 B and 38 B were not required for Electric Sub Station. Accordingly, 159 sq. yds. of land in block No. 37 B & 38 B were withdrawn from acquisition vide notification No. F.15(46)/65-LSG/L&H dated 24th May, 1969. There remains 141 sq.yds of land in plot No. 36 B for acquisition under the present award. Notice u/s 9(1) was given due publicity and notices u/s 9(3) & 10(1) were issued to known interested persons who filed claims.

MEASUREMENT & OWNERSHIP

The area of plot No. 36-B was found on verification by the field staff u/s 8 of the Land Acquisition Act to be 141 sq.yds which is held to be correct. This plot is reported to be recorded in

Contd..2..

the ownership of Smt. Maya Rani Taneja according to letter No. L-1(83)/RO/D/2647 dated 12.7.67 from Municipal Corporation of Delhi but in the Jama Bandi 1966-67 and Khasra Girdawari for the period 1967 to 71 of village Dhir Pur plot No. 36-B (Kh.No. 24) is recorded in the ownership of National Housing Company, Azad Pur.

CLAIM

Name of the claimant	Amount claimed
Smt. Maya Rani Taneja w/o Sh. Badri Nath Taneja	Rs. 21,150/- for land at the rate of Rs. 150/- per sq.yd. 15 % solatium Rs. 2000/- for improvement of XXXXXX land . Rs. 15,000/- damages on account of acquisition.

EVIDENCE

The claimant has filed attested copy of sale deed dated 13.12.55 in respect of plot No. 36-B measuring 141 sq.yds in Kh.No. 24 for Rs. 387/12 annas in favour of the claimant executed by National Housing Company, Azad Pur. This sale deed is proof of ownership and is of no help in determining the market value of the land on the date of notification u/s 4. The claimant has not led any evidence to substantiate the exorbitant claim of Rs. 150/- per sq.yd. No evidence has been filed to show any investment in improving the land before the date of notification.

MARKET VALUE

The land under acquisition is situated in Mohan Park which is near Model Town. This lies in a residential colony. The date of notification u/s 4 is 22.7.66. Following sale transactions in village Dhirpur where the land under acquisition is situated have taken place in the year 1966 and mutated in revenue record.

Sr. No.	Mutation No.	Date of registration of sale deed	Kh.No.	Area sold b-h.	Consideration money	Average p.s.yd.
1.	525	20.4.66	21/91	0-2	Rs.4000/-	Rs. 40/-
2.	491	20.4.66	31/7	0-4	Rs.8400/-	Rs. 42/-
3.	492	20.4.66	31/8	0-4	Rs.8400/-	Rs.42/-
4.	493	7.5.66	31/3	0-2	Rs.4800/-	Rs. 48/-
5.	480	27.6.66	18	0-4	Rs.15,000/-	Rs. 50/-
6.	490	30.6.66	31/6	0-4	Rs.8440/-	Rs. 42.50
7.	460	17.3.66	168	11-0	Rs.30000/-	Rs.2.72

Sale deed at Sr.No. 1 to 6 relate to small plots. Most of these plots are situated to the south of the plot under acquisition and are nearer Model Town and the G.T. Road. They are, therefore, better situated and cannot form the basis for determining the market value of land under acquisition.

Sale deed at Sr.No. 7 also cannot be considered for the reason that the land under sale is situated far away from the land under acquisition and has much larger area.

The following two sale transactions in this area have also been reported by the field staff:-

Sr.No.	No. & date of sale deed	Kh.No/ plot No.	Area sq.yds	Consideration money	Average p.s.yd.
1.	7077/27.7.64	24/39-A (block B Mohan Park)	120	Rs.2000/-	Rs.16.66
2.	10310/29.6.66	28/10 (block D Mohan Park)	100	Rs. 700/-	Rs. 7/-

The land involved in sale transaction at Sr.No. 2 is far away from the land under acquisition and is much inferior in situation and cannot be an exemplar for assessing the market value of the land under acquisition. But the sale deed at Sr.No. 1 executed on 27.7.64 refers to plot No. 39-A which is in the same row in which the land under acquisition bearing plot No. 36-B lies and is therefore similarly situated. This sale deed can form a suitable basis for determining the market value of land under acquisition but since this transaction

took place two years before the date of notification u/s 4 in the present case, allowance has to be made for increase of price during these two years. Considering 5 % increase over price of the land in 1964 as reasonable, I fix the market value of land under acquisition at the rate of Rs. 19/- per sq.yd and award the same.

OTHER COMPENSATION

There is no well, tree or structure in the land under acquisition.

15% solatium

15 % of the market value of land will be paid in consideration of compulsory nature of acquisition.

APPORTIONMENT

The compensation will be paid according to the latest entries in the revenue record. In case of dispute it will be referred to the Court of A.D.J., Delhi for adjudication.

' SUMMARY OF THE AWARD '

Market value of land measuring 141 sq.yds @Rs19/- per sq.yd.	Rs. 2679-00
15 % solatium for compulsory acquisition.	Rs. 401-85
TOTAL	Rs. 3080-85

The land is assessed to land revenue of 4 paise which will be deducted from the rent roll of the village after possession is taken over the land.

P. M. L. Gaumat
(B.M.L. GAUMAT) 7.4.72
LAND ACQUISITION COLLECTOR(DS)
DELHI.

Confirmed

1.11.72

Announced & filed today

P. M. L. Gaumat
7.4.72
LAC (DS)

कब्रों का पता नहीं मिल सका है। 1/73-74 को इन पत्तों में। पीरपुर दिल्ली

आम बंधुओं के नामों के साथ एकत्रित करके दिल्ली को 29/5/74 को भी भेजा जा रहा है।
को भी हमारे ही से नहीं पता है। 1. न. मुताबक प्रमाणों के अनुसार
कब्रों की स्थिति को देखें। महकमा D.E.S. 4. की तरफ से
की दलील के अनुसार कोबरसीपर सिविल डिप्टी-1. (D.E.S. 4)
को भी डी. पी. जैन कोबरसीपर लेफ्ट एंड एग्जिट D.E.S. 4. में
पर हाजिर मिले। खसरा नं. 24, प्लॉट नं. 36.B. रकबा तादादी
141. वर्ग मीटर जिसका इयूथ काया इस प्रकार है।

1. मूरव में: 37.8. प्लॉट,
2. पश्चिम में: 35.8. प्लॉट.
3. उत्तर में: 15 फुट चौड़ी गली (सड़क)
4. दक्षिण में: 20 फुट चौड़ी सड़क.

खसरा नं. 24. का प्लॉट नं. 36.B. में पर खाली पार्क गार्डन
जिसका नाम है 'हार्मोन' के हवाला से दलील के अनुसार
कोबरसीपर सिविल डिप्टी-1. D.E.S. 4. को भी डी. पी. जैन लेफ्ट
एंड एग्जिट (D.E.S. 4) सिमा गमा बंधुओं के कारवाही के अनुसार भी
किसी भी भी नहीं मिलाया गया है। नतीजा पर-वाला तरफ
कुछ भी हाथ लगाकर पक्के निष्कर्षों पर खसरा देखा जा रहा है। इस
कारण भी मनावी व सुशुद्धी के लिए भी वे राहें पता है।
नतीजा पर देखा जा रहा है कि कब्रों के कारवाही को एक नमूने
वसूली के अनुसार कब्रों के मालिकों को दिल्ली के भी
प्राप्त। पता है। हलकों के अनुसार भी नतीजा पर हाजिर नहीं।

Handed Over
29/5/74
Karam Singh

Taken Over.

29/5/74
Ithman

29/5/74
Jagjit Singh
Jagjit Singh
Jagjit Singh