

1344

Award No. : 09 / D.C.S. / 2006-2007

Name of Village : Garhi Jharia Maria

Area under acquisition : 04 Bigha 18 Biswa

Purpose of acquisition : For development of East of Kailash Residential Scheme under P.D.D.

Nature of acquisition : Permanent

Notification u/s 4 : F.9(43)/2004/L&B/LA/3743  
Dt.24.6.2005

Notification u/s 6 : F.9(43)/2004/L&B/LA/9053  
Dt.20.10.2005

A notification u/s 4 & u/s 6 of the L.A. Act was issued vide No. F.9(43)/2004/L&B/LA/3743 Dt.24.6.2005 & F.9 (43)/2004/L&B/LA/ 9053 Dt.20.10.2005 respectively for Acquisition of 4 Bigha 18 Biswa of land in village Garhi Jharia Maria

The detail of true and correct area of the land under award is as under: -

<u>Field No./Kh.No.</u>	<u>Area(Bigha-Biswa)</u>
✓ 182/150/2/1	✓ 2-07
✓ 67 min	✓ 2-11

Contd/...2

-2-

**Notices: -** Notice u/s 9 & 10 were issued to the all recorded owners.

**Compensation Claims :-** The following person have filed claims for  
Compensation: -

S.N	Name of the Claimant	Kh.No.	Claim
1.	Sh. Dinesh Sharma S/o Sh. Prem Raj R/o 389-A, Masjid Moth, ND-49.	182/150/2/1 (2-7) & 67 min (2-11)	Rs.70,000/- per Sq.Yd. As market value along with other statutory benefits as per provision of LA Act.
2.	Sh. Manohar Lal S/o Pt. Leela Ram R/o 279 A, Masjid Moth, ND-49.	-do-	-do-
3.	Hukum Chand S/o Leela Ram (Deceased) through LRs; (a) Sh. Harish Chand S/o Sh. Hukum Chand R/o 282, Masjid Moth, N.D-49 (b) Naresh Chand S/o Hukum Chand R/o 3726- Salem Walk, North Brook Illinois, 60062, USA. (C) Sh. Ashok Atree S/o Hukum Chand R/o 282, Masjid Moth, N.D-49 (d) K. Gopal Attree S/o Hukum Chand R/o 282, Masjid Moth, N.D-49 (e) Rajesh Sharma S/o Hukum Chand R/o 209-C, Masjid Moth, N.D-49 (f) Arvind Sharma S/o Hukum Chand R/o 209-C, Masjid Moth, N.D-49	-do-	-do-
4.	Trilok Chand Sharma (Deceased) S/o Pt. Leela Ram Through LRs: (a) Shiv Charan Atri S/o Trilok Chand Sharma, R/o 279-A Masjid Moth, N.D-49 (b) Ved Prakash S/o Trilok	-do-	-do-

	<p><b>Chand Sharma, R/o 279-A Masjid Moth, N.D-49</b></p> <p><b>(C) Hari Kishan S/o Trilok Chand Sharma, R/o 279-A Masjid Moth, N.D-49.</b></p> <p><b>(d) Ajay Kr. Sharma S/o Trilok Chand Sharma, R/o 279-A Masjid Moth, N.D-49.</b></p> <p><b>(e) Sudhir Attri S/o Tek Chand Allias Tilak Raj S/o S/o Trilok Chand Sharma, R/o 279-A Masjid Moth, N.D-49</b></p> <p><b>(f) Bharat Bhushan Attri S/o Tek Chand Allias Tilak Raj S/o S/o Trilok Chand Sharma, R/o 279-A Masjid Moth, N.D-49.</b></p>		
<b>5.</b>	<p><b>Dharam Singh (Deceased) S/o Pt. Leela Ram Through LRs</b></p> <p><b>(a) Anand Kr.</b></p> <p><b>(b) Sushil Kr.</b></p> <p><b>(c) Mahender Kr.</b></p> <p><b>(d) Narinder Kr.</b></p> <p><b>(e) Lalit Kr.</b></p> <p><b>(f) Rajesh Kr.</b></p> <p><b>(g) Davinder Kr.</b></p> <p><b>(h) Bankey Behari alias Vikas Attri All Sons of Sh. Daram Singh R/o Village Chandawali, P.O. Ballabgarh, Distt. Faridabad (Haryana)</b></p>	<b>-do-</b>	<b>-do-</b>
<b>6.</b>	<p><b>Sh. Chet Ram Sharma S/o Pt. Leela Ram R/o 279 Masjid Moth, N.D.</b></p>	<b>-do-</b>	<b>-do-</b>

**Documentary Evidence:-** The following documentary evidence were adduce by some of the claimants in support of their claims:-

**Contd—4/-**

1. Valuation report of registered architect, approved valuer.
2. Copy of reserve price fixed by Finance Member DDA for the year 2005-06 in respect of auction of residential plots.

**Market Value: -**

The market value of the land has to be determined with reference to the price prevailing as at the date of preliminary notification. The market value means the price that would be paid by willing purchaser to a willing seller where both are actuated by business principles prevalent at the time in the locality. The price, therefore, paid for comparable properties in the neighborhood are the usual evidence as to the market value.

The notice U/s 50(2) of L.A. Act has been issued to the requisitioning agency i.e. DDA. In response to the notice U/s 50(2) of L.A. Act. Dy. Director(N.L), DDA vide letter No.F.9(13)/2006/CRC/South/DDA Dt.8.5.2006 has desired the rate of compensation may be fixed at the minimum rate as fixed by GNCTD of agricultural land.

The village Garhi Jharia Maria is urbanized. As per joint survey report Dt.09.03.04 in the said land residential Kothies, Park ~~is~~<sup>are</sup> existing. Moreover, as per the Khasra Girdawari, the land in question is Gair Mumkin Abadi and hence cannot be agriculture land. Keeping in view of this, the undersigned has taken cognizance of indicative price fixed for residential land, as per L & D.O rates for year 1.4.1998 to 31.03.2000 conveyed vide letter No.J-22011/4/95-LD Dt.16.04.99 of Ministry of Urban Affairs & Employment, Deptt. of Urban Development(Lands Division). In the said notification, the L & D.O rate for land in Lajpat Nagar has been given, but no rate for village Garhi Jharia Maria is available. Since locality Lajpat Nagar is in proximity to the land in village Garhi Jharia Maria, the L & D O rate for Lajpat Nagar has been taken as basis of market value. Accordingly, I assess the market value as on date of notification u/s 4 of L.A.Act as Rs.9240/- Per Sq.Mtrs.

**POSSESSION:** The possession of land has not been taken.

**30% SOLATIUM:** 30% Solatium is payable on the market value of the land U/s 23(2) of L.A.Act 1894.

Contd—5/-

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**ADDITIONAL AMOUNT U/s 23(1-A):**

In addition to the market value of the land an amount calculated at the rate of 12% per annum on such market value for the period commencing on and from the date of publication of the notification under section-4, sub section (1), in respect of such land to the date of the award of the Collector or the date of taking possession of the land, whichever is earlier.

**APPORTIONMENT:**

<b><u>Name &amp; Share</u></b>	<b><u>Amount</u></b>
1. Hukum Chand S/o Leela Ram, 1/7 share	Rs.76,52,541=55
2. Trilok Chand S/o Leela Ram 1/7 share	Rs. 76,52,541=55
3. Chet Ram S/o Leela Ram, 1/7 share	Rs. 76,52,541=55
4. Dharam Singh S/o Leela Ram, 1/7 share	Rs. 76,52,541=55
5. Prem Raj S/o Leela Ram, 1/7 Share	Rs. 76,52,541=54
6. Manohar Lal S/o Leela Ram 1/7 Share	Rs. 76,52,541=54
7. Ranjeet Singh S/o Leela Ram, 1/7 share.	Rs. 76,52,541=54

Compensation will be paid on the basis of the latest entries in the revenue record. If there is a dispute regarding title/apportionment, which could not be settled here within a reasonable period, the dispute will be referred to the court of ADJ for adjudication u/s 30 & 31 of L.A.Act.

**VESTING OF OWNERSHIP:** From the date of taking over the possession of the land, the land under acquisition will vest absolutely in government and free from all encumbrances.

**LAND REVENUE DEDUCTIONS:** The land revenue assessed by the revenue officer concerned till date shall be deducted from the awarded money at the time of making the payment.

Contd—6/-

**SUMMARY OF AWARD :**

<b><u>S. No.</u></b>		<b><u>Amount of Compensation.</u></b>
1.	Market value of land @ Rs.9240/- per Sq. Mtr for (4-18 Biswa) i.e. 4900 Sq Yd. 4096.89 Sq. Mtr.	Rs.3,78,55,263=60 ✓
2.	Solatum @ 30%	Rs. 1,13,56,579=08 ✓
3.	Additional amount @ 12% u/s 23(1-A) w.e.f. 24.6.05 to 9.6.06 (350 days)	Rs.43,55,948=14 ✓
	Grand Total	Rs. 5,35,67,790=82 ✓

(Rupees Five Crore thirty five lacs sixty seven thousand seven hundred ninety and paise eighty two only)



(A.K. Singh)

LAND ACQUISITION COLLECTOR (SOUTH)

  
DIV. COMMISSIONER/SECRETARY (REVENUE)

Award announced in open Court on 5/6/11.

  
5/6/11