

1715

Sudhara Khurd.

Permanent.

This is a case for the acquisition of land in the Estate of Sudhara Khurd required by the Government at the public expense for a public purpose namely for the Planned Development of Delhi. A declaration under section 4 of the Land Acquisition Act was made vide notification No. F.15(255)/61-LSG dated 16.2.1963. The substance of the notification was given due publicity and objections were invited from the interested persons. No objection was however received. A declaration under section 6 of the Land Acquisition Act was made vide notification of even Number dated 13.5.1963. Notice under section 9(1) was given due publicity and notices under section 9(3) and 10(1) of the Land Acquisition Act were issued to the interested persons. Almost all the interested persons have responded to the notices.

MEASUREMENT AND OVERSIGHT.

According to the notification under section 6 of the Land Acquisition Act, the total area to be acquired was 24 bighas. From further verification made from the papers of <sup>the</sup> ~~the~~ record, the area is found to be correct. The ownership of the land under acquisition is given below.

S.No.	Name of the owner	Khasra No.	Area Bigha-Biswas.	Kind of land.
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1.	Custodian of evacuee property.	1424/497/177	3 - 06	Nehri.
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178

0 - 02

Gr. Well.

he is a non-occupancy tenant in these khasra Numbers from the year 1940 and therefore he has got rights of tenancy on the land. He has claimed the following compensation.

Compensation for the repairing of the well. Rs.1000/-

Compensation for the land. Rs.50/- per sq.yd.

Compensation for repairing of the boundary wall. Rs.500/-

Compensation for filling the pits. Rs.3,000/-

Compensation for wire fencing. Rs. 500/-

Compensation for a room and Tin Shed. Rs.1000/-

2. <del>Shri</del> Laxmi Co-operative House building Society, Delhi, Ltd;.	496/177	4 - 04	Nehri.
	183	16 - 02	Bagh Nehri.
	184	0 - 01	Gm.Well.
	185	0 - 05	Gm.Kothi.
		20 - 12	

Total .....24 - 00

Note: According to the Khasra Girdawari, khasra No.183 is still written as bagh nehri. This entry is totally wrong. There is no garden on the land and it is simply uncultivated. The society has demanded the following compensations.

Compensation for land Rs.60/- per sq.yd.

Compensation for the levelling. Rs.30,000/-

Compensation for two rooms. Rs. 8,000/-

Note (2): Shri Jit Ram s/o Bikhari has been entered as a non-occupancy tenant in the revenue record. He has also claimed compensation for his rights of tenancy in khasra No.496/177 only as in the case of khasra Number 1424/497/177 and 178. It is not known whether the clear possession of the land was given to the auction purchasers by the custodian or not.

CLAIMS AND EVIDENCE.

The claims made by the various interested parties have been discussed above. They have lead no evidence to prove their high claims.

MARKET VALUE.

The land under acquisition is situated on a road near Bagh Karenkhan. It has got high potential value for building purposes. The custodian sold some of the khasra Numbers to the Laxmi Co-operative House Building Society in auction through some displaced persons in January, 1958. The auction prices are given below.

<u>Khasra No.</u>	<u>Date of Sale.</u>	<u>Area</u>	<u>Total sale price.</u>
183 min, 184 and 185.	31.1.1958	2 - 13	Rs. 50,000/-
496/177	17.1.1958	4 - 04	Rs. 46,700/-
183/1	31.1.1958	13 - 15	Rs. 1,17,000/-

The price of the claim for year 1958 was about 10As. of the Rupee. The price of the first transaction, therefore, comes to about Rs. 31,250/-. There is a structure on this land, the price of which has been assessed at Rs. 5,386/- by the P.W.D. Deducting

The area is 2 bighas and 13 biswas and the average of this transaction, therefore, works out to Rs.9.50 HP per sq.yd. The second transaction took place against claim of Rs.46,700/-, the cash price of which works out to Rs.29,200/-. The area is 4 bighas and 4 biswas the average of this transaction works out to Rs.7/- per sq.yd. The third transaction took place for a sum of Rs.1,17,000/- against claims. The cash price of which comes to Rs.73,125/-. The average price comes to about 5.25 HP per sq.yd. This was the rate in the year 1958. A period of 5 years has elapsed when these transactions took place. We have to give the price on the relevant date i.e. 16.2.1963. Sale transactions of non-evacuee land took place in the estate of Sadhora Khurd during the subsequent years. The details of these transactions are given below.

Mutation No.	Date of Register- ation.	Khasra Numbers.	Area.	Total sale- price.	Avera- ge per bigha.
23.1.1959		118, 119, 120, and 24-13 121.		Rs.1,63,500/-	
					Rs.6,600/-
16.2.1960		430/122, 132/122, 10 -14		Rs.91,000/-	
					Rs.8500/-
		1295/899/114, 1177/115, & 1294/899/114.	9 -02	Rs.6000/-	Rs.6500
		1162/434/181/1	0 -17	Rs.8000/-	Rs.9400
			45 - 06	Rs.3,22,500/-	

These transactions works out to about

There is no continuous rise in the prices as transactions. The price was low in the year 1959, in the 1960, then it became low in the year 1961, too high in the year 1962. The transaction of the

The average of these transactions gives the reasonable market value of the land under acquisition and I, therefore, award Rs.7,000/- per bigha as compensation for the land under acquisition.

OTHER COMPENSATIONS.

There is structure on the land under acquisition. The price of which has been assessed as follows by the P.W.D.

<u>Khasra No.</u>	<u>Kind of structure</u>	<u>Price assessed.</u>
183 min., 184 and 185.	Main building, Platform in <del>complete</del> building with pillars, well with hand pump, broken structure and boundary wall.	Rs.5,886/-
1424/497/177 & 178.	Room & Verandah, bared wire fencing, Kacha platform and a well.	Rs.3,947/- <hr/> Rs.9,833/-

I have inspected the site and I find that the price assessed by the P.W.D. is very reasonable and I, therefore, award Rs.9,833/- as compensation for the structures. There are trees on the land under acquisition and the Maib-Tehsildar (Land Acquisition) has assessed the price of these trees at Rs.661/-. I have seen the site and I find that the price assessed by him is reasonable. I therefore, award Rs.661/- as prices of the trees. There are old structures in khasra No.1424/497/177; but these have not been shown by the Patwari in the Khasra Girdawari. As a matter of fact the patwari <sup>did</sup> has not appeared <sup>to</sup> to have gone on the site when he made the harvesting <sup>by</sup> inspection. As a matter of fact he has shown totally Banjar land as bagh nehri. I, therefore, do not rely on the khasra Girdawari.

APPORTIONMENT.

apportionment between the owner and the tenant Shri Jit Ram.

THE AWARD IS SUMMARISED AS BELOW.

Compensation for 24 bighas of  
land @ Rs. 7000/- per bigha. Rs. 1,68,000.00

Compensation for structure Rs. 9,833.00

Compensation for trees. Rs. 661.00

15% of the above as solatium for  
compulsory nature of acquisition. *cauff*  
*Rs.* 26,774.10 *hu*  
26,674.95

Grand Total ..... Rs. 2,05,268.10 NP  
2,05,168.95 NP

The Land is assessed to a Land Revenue of Rs. 52.86 NP which  
will be deducted from the Revenue Roll from kharif 1964.

*[Signature]*  
(Nand Kishore)  
Land Acquisition Collector (I)  
D E L H I.  
17.4.1964.

Submitted to the Collector of District for information  
and filing.

*[Signature]*  
(Nand Kishore)  
Land Acquisition Collector (I)  
D E L H I.  
17.4.1964.

Seen

*[Signature]*

ADM LA Delhi

*[Signature]* with P. M. S. J. Collector

COLLECTOR, DELHI. 11/6/64.

*[Handwritten notes and signatures at the bottom of the page]*