



NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO(S). 385-386 OF 2022
(Arising out of SLP(Civil) No(s).7086-7087 of 2017)

AMBALAL BABULAL PATEL ETC. ETC.APPELLANT(S)

VERSUS

**THE GROUP GENERAL MANAGER,
ONGC & ANR.RESPONDENT(S)**

WITH

CIVIL APPEAL NO(S). 387-392 OF 2022
(Arising out of SLP(Civil) No(s).7092-7097 of 2017)

CIVIL APPEAL NO(S). 393-395 OF 2022
(Arising out of SLP(Civil) No(s).7099-7101 of 2017)

CIVIL APPEAL NO(S). 396-398 OF 2022
(Arising out of SLP(Civil) No(s).7089-7091 of 2017)

CIVIL APPEAL NO(S). 399-400 OF 2022
(Arising out of SLP(Civil) No(s).5961-5962 of 2017)

ORDER

1. Leave granted.

2. The appellants are the claimants and being dissatisfied with the amount of compensation awarded by the Division Bench of the High Court under the impugned judgment, have approached this Court by filing these instant appeals.

3. The subject lands in question are situated at Villages Pansar, Dhamasana and Isand which came to be acquired under the provisions of the Land Acquisition Act, 1894 (hereinafter being referred to as the "Act") for the public purpose for ONGC. The notification under Section 4 of the Act came to be published and after going through the procedure prescribed under law, the Special Land Acquisition Officer awarded compensation under Section 11 of the Act.

4. Upon reference being made by the appellants-claimants in respect of the lands acquired at Villages Pansar/Dhamasana/Isand, the Reference Court awarded additional compensation, over and above the compensation awarded by the Special Land Acquisition Officer, ONGC, Ahmedabad, under its respective orders along with interest and other statutory benefits under Section 23(1)(A) of the Act.

5. The orders passed by the Reference Court came to be challenged by respondent no.1 (ONGC) before the High Court and

after hearing the parties, the High Court under its respective impugned judgments, while upholding the statutory benefits including interest, modified the rate of compensation and reduced the additional compensation for the land acquired at Villages Pansar/Dhamasana/Isand, Taluka Kalol, District Gandhinagar, which is the subject matter of challenge at the instance of the appellants-claimants in the present batch of appeals.

6. After we have heard learned counsel for the parties, in our considered view, the Reference Court in exercise of its power under Section 18 of the Act, after appreciating the material available on record, awarded additional compensation to the claimants over and above the compensation awarded by the Special Land Acquisition Officer, ONGC, Ahmedabad and the interference made by the High Court under the impugned judgment so far as the additional compensation assessed by the Reference Court is concerned, is neither supported by the material on record nor sustainable in law.

7. Consequently, additional compensation awarded by the Reference Court in the respective orders stands restored. The

impugned judgment of the High Court, to the limited extent is accordingly modified.

8. The appeals in the above terms stand disposed of.

9. Pending application(s), if any, shall also stand disposed of.

.....**J.**
(AJAY RASTOGI)

.....**J.**
(ABHAY S. OKA)

NEW DELHI
JANUARY 19, 2022