

VILLAGE
ACQUISITION OF LANDS OUT OF VI-HAR MALAD FOR A PUBLIC
PURPOSE VIZ. " FOR CONSTRUCTION OF STAFF QUARTERS OF
POST AND TELEGRAPH DEPARTMENT "

No. & Date of publication of
Notification under section 4
of the Land Acquisition Act.

Commissioner, Bombay Divisi-
on, Bombay's Notification
No. GB-Desk-I-LAQ-B-172-3234
dt. 7th June 1977 published
in the Maharashtra Govt.
Gazette, Part-I, dt. 7th July
1977 at page No. 1034.

Erratum No. GB/Desk I/LAQ-B-
172-8833, dt. 9th Aug. 1977
published in Maharashtra
Government Gazette, Part-I
dt. 1.9.1977 at page 1458.

Erratum No. GB-Desk-I-LAQ-B
172-1541-A, dt. 28th Nov. 1978
published in Maharashtra
Govt. Gazette, part-I,
dt. 8th Feb. 79 on page 352.

No & Date of publication of
the Declaration under sec.6
of the Land Acquisition Act.

Commissioner, Bombay Divn.
Bombay's Notification No.
GB-Desk-III-LAQ-C-501-2306,
dt. 19th July 1979 published
in Maharashtra Government
Gazette, part-I, dt. 2.8.1979
at page No. 1431.

LANDS : Land admeasuring 5226.00 sqmt. out of S.No.
413, S. No. 1209 (pt) of Village Malad, Bombay
Suburban District.

ADDITIONAL LANDS :

No. & Date of publication of
Notification under sec. 4
of the Land Acquisition Act.

Commissioner, Bombay Divn.
Bombay's Notification No.
GB-Desk-I-LAQ-B-172/1541-B
dt. 28th Nov. 1978 published
in Maharashtra Govt. Gazette
Part-I, dt. 8th Feb. 1979
at page No. 352.

REC-241 19, 18-0000-1-100-2-0001/
6916, dt. 1st Feb. 1982 published
in Maharashtra Government Gazette,
Part-1, dt. 4th Feb. 1982 at
page No. 152.

No. & Date of publication
of Notification under sec.
6 of the Land Acquisition
Act.

Commissioner, Bombay Division
Bombay's Notification No. 18-0000-
1-100-2-000-6916, dt. 1st Feb. '82
published in Maharashtra Govt.
Gazette, part-1, dated 4th Feb.
1982 at ^{1/2} page No. 152.

Area measuring 299.00 sq. ft. out of S.No. 413
C.F.S. No. 1209(pt) of Malad, Bombay Sub. District.

REASONS FOR AWARD

READ :- General Note on Reasons for Award in Case No. 100-329/P

1. NOTICES & OWNERSHIP : The requisite notices, both under
section 9 & 10 of Land Acquisition Act, have been pasted on
site and served on the persons believed to ~~be~~ be interested.
The written or oral statements of the interested persons are
recorded.

As per the record of rights the land under acqn.
bearing S.No. 413 stands in the name of F. E. Dinslaw as the
owner & Smt. Pavalinbai Androo Vaithi as the holder of other
rights. ~~One~~ One Shri O. P. Singh on behalf of his father
Shri Laxaisingh Uditsing has stated that his father has purch-
ased the land from Smt. Pavalinbai Vaithi in 1959 & in proof of
this he has produced the C. S. extract of C.S.No. 1209. He has
however not produced corresponding 7/12 extract showing their
ownership in S.No. 413. Shri O. P. Singh has stated that his
father expired in March 1986 & he & other (4) i.e.

1. Shri Hari ^{Narayan} Singh.
2. Shri Avadh Narayan Singh
3. Shri Jayprakash Singh and
4. Shri Satyaprakash Singh.

are the legal heirs of his father. He has however not produced documents in proof of their heirship. He stated that this S.No. is in their possession. As the ownership of this S.No. is disputed between F. E. Dinshaw & the persons claiming to be the legal heirs of the late Shri Laxmisingh Uditsingh, the amount of compensation payable under this award is proposed to be deposited in the Court under section 30.

2. AREA & ASSESSMENT : The areas of the land under acquisition notified under section 6 of the Land Acquisition Act are as follows :

<u>S.No.</u>	<u>Area in sq.mtrs.</u>
413/pt.	5525

These areas are as per the Joint measurement by the District Inspector of Land Records, Bombay Suburban District, Bombay.

The same are neither disputed by the Acquiring Body nor by the claimants. I therefore, accept the area of 5525 sq.mt. as true area and adopt the same for the purpose of my Award.

3. DESCRIPTION & SITUATION : The lands under acquisition are agricultural lands. Further the General Description and situation is given in para No. 4 of the General Note of "Reasons for Award".

4. CLAIMS : The claimants F. E. Dinshaw Trust have claim a rate of land value at Rs. 120/-p.s.m. plus 15% solatium and 12% int rest up to the declaration of Award together making total compensation of Rs. 6,63,000/-. The other claimant Shri Laxmisingh Uditsingh has claimed a rate of value at Rs. 478.47/-p.s.m. (400/-sq-yd.) with total compensation of Rs. 21,00,000/-

5. EVIDENCE IN SUPPORT OF CLAIM : In support claim, of Rs. 120/-p.s.m. F. E. Dinsha Trust has the evidence mentioned at Sr. No. 1 to 4 of the ment Appendix 'C' & described in para No. 5 of Valuation Note. The other claimant Shri La

Uditsingh has not produced any evidence in support of his claim of Rs. 478,47/-p.s.m.

6. VALUATION : For the reasons mentioned in Para 6 of Reasons of Award I value the above land under acquisition as under

- | | | | |
|----|---|---------------|--------|
| 1. | Land admeasuring 5226 sq.mt. out of 413 pt. at Rs. 12/-p.s.m. as on 7.7.1977. | Rs. 62,712.00 | 4
d |
| 2. | Land admeasuring 299 sq.mt. out of S.No. 413/pt at Rs. 14/-p.s.m. as on 8.2.1979. | Rs. 4,186.00 | Y |

The possession of the land is not taken and it will be taken after declaration of Award.

The claimants are entitled to receive the solatium at 30% on market value, of land and also interest at 12% on 1) Rs. 62,712.00 from 7.7.77 to 23.9.86 and 2) Rs. 4,186.00 from 8.2.79 to 23.9.86.

7. DETAILS OF VALUATION :

- | | | |
|---------|---|---------------------------|
| (a) (i) | Land in S.No.413/pt admeasuring 5226 sq.mtrs at Rs. 12/-p.s.m. | Rs. 62,712.00 |
| (ii) | Land admeasuring 299 sq.mt. out of 413/pt at Rs. 14/-p.s.m. | Rs. 4,186.00 |
| | TOTAL LAND VALUE : | Rs. 66,898.00 |
| (b) | Add 30% solatium on Rs. 66,898.00 | Rs. 20,069.40 |
| (c) (i) | Add 12% interest on Rs.62,712/- from 7.7.77 to 23.9.86, i.e. for 9.21 years. | Rs. 69,309.30 |
| (ii) | Add 12% interest on Rs. 4186.00 from 8.2.79 to 23.9.1986 i.e. for 6y 7.625 years. | Rs. 3,832.70 |
| | TOTAL: 7(a-i, ii)+(b)+(c-i, ii) = | Rs. 1,60,109.40 |
| | | Say Rs. 1,60,109/- |

8. AWARD : I, therefore declare that,

(a) The true area of land under acquisition to be 5525 sq.mt.

(b) The total amount compensation awarded is (One Lakh, Sixty Thousand, One Hundred & Nine Only) Rs. 1,60,109.00

(c) To be paid to

1. F. E. Dinshaw

AND

2. Legal Heirs of late
Shri Laxmisingh Uditsingh

To be deposited in the Court under section 30 of the Land Acqn. Act between 1 & 2.

Old Custom House Yard,
Fort, Bombay - 23.
Dated: 23.9.1986

sd/-
(VIMAL KULKARNI)
Special Land Acquisition Officer(3)
Bombay and Bombay Suburban District,

- NOTES : 1. The General Valuation Note is duly approved by the Appropriate Authority.
2. The Award is declared on 23.9.1986 & filed in this office.

Mcs/-
21986.

TRUE COPY

Special Land Acquisition Officer (3)
Bombay and Bombay Suburban District