

OFFICE OF THE SPL.DY.COLLECTOR, LAND ACQUISITION, GHMC, HYD.
AWARD PROCEEDINGS

PRESENT: SRI. N.RAGHUNATHA RAO, M.Com, LLB.,

No.A/867/2005.

DATE:- 5-8-2008.

PREAMBLE:

The City Planner, Secunderabad Division, GHMC. has placed a requisition vide letter No. 331/TP/MCH/SD/RW/2005 dt. 28-6-2005 for acquisition of the following properties for the purpose of proposed road widening of Sardar Patel Road at Begumpet Village and Bala Nagar Mandal of Ranga Reddy District.

Sl. No.	Premises No.	Ac. Gts.
1	1-10-74	0.02 ¼
2	1-10-72/2/3/A	0.02
	Total:-	0.04 ¼

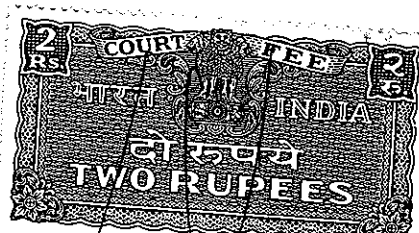
On receipt of the above said requisitions, land acquisition proceedings have been initiated.

SUB. DIVISION WORK:

This office Survey Staff conducted the Survey and prepared the Sub-Division Record. The sub-division record was sent for attestation to the Assistant Director, Survey & land Records, Ranga Reddy District, vide this office Lr. No. A/867/2005 dt. 15-12-2005, who in turn attested the S.D. Records and communicated. As per the attested Sub-division Records, the total extent attested area in respect of the said properties, which is fall in Begumpet Village of Bala Nagar Mandal, Ranga Reddy District is 0.04 ¼ Ac. Gts. as shown hereunder: -

S.I No.	Premises	Sy. Nos.	Ac. Gts.
1	1-10-74	51/2	0.02 ¼
2	1-10-72/2/3/A	40/2	0.02
		Total:-	0.04 ¼

Therefore the area attested, by the Assistant Director, Survey & Land Records has been adopted for the purpose of land acquisition.



The survey staff of this office and staff of the Municipal Corporation jointly identified the property and a preliminary joint inspection was conducted.

PUBLICATION OF DRAFT NOTIFICATION:

The Draft Notification U/s. 4 (1) Draft Declaration U/s 6 of the Land Acquisition Act 1894 as amended by Act 68 of 1984 was submitted to the District Collector, Ranga Reddy District vide reference No. A/867/2005 dt. 24-2-2007. The District Collector, Ranga Reddy District approved the same vide Memo No. G2/1410/2007 Dt. 6-5-2007 & 7-5-2007. The Draft Notification was published in the Ranga Reddy District Gazette and newspapers on the dates mentioned against as shown below.

1. Ranga Reddy District Gazette No.13	dt. 7-5-2007
2. Vaartha (Telugu)	dt. 16-5-2007
3. Deccan Chronicle (English)	dt. 16-5-2007
4. Substance	dt. 19-5-2007

PUBLICATION OF DRAFT DECLARATION:

The Draft Declaration was published in the Ranga Reddy District Gazette and newspapers on the dates mentioned against each as shown hereunder:-

1. Ranga Reddy District Gazette No. 14	dt. 8-5-2007
2. Vaartha (Telugu)	dt. 17-5-2007
3. Deccan Chronicle (English)	dt. 17-5-2007
4. Substance	dt. 21-5-2007

VALUATION OF LAND:

The Market value of a piece of land may be determined on one or more of the following base as per the instructions contained in Chapter 9 and Chapter 10 of Principles, Practice and procedure of Land Acquisition Manual.

- i) The price paid for the same land or a portion of it in recent years, after making all necessary allowance for lapse of time, advantage of situation, and any other possible differences between the land sold and that to be acquired.

- ii) The price paid for similar lands in the vicinity in recent years after making all proper allowance for lapse of time, advantage of situation etc.,
- iii) The net annual income from the land which may be capitalized at a certain number of years purchase the number of years depending upon the nature of the property, the state of the money market and other circumstances of the case. This method is more suited for land with buildings on it but even in the case of buildings it may not be a fair method, as the present rental may be too low or too high it may be usefully adopted for purposes of comparison with the evidence if sales when both are available, and it may be resorted to when there is no other evidence available.

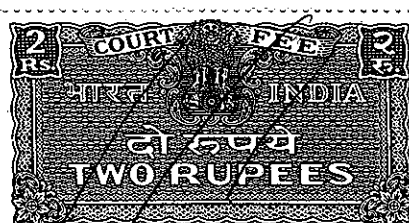
For this purpose as per the instructions contained in BSO 90 Para 8, Section 3, the registered sale transactions that have taken place during the preceding 3 years from the date of publication of the Draft Notification have been gathered from the Sub-Registrar office, Secunderabad, Hyderabad.

Totally (6) sales have taken place in the vicinity of land under acquisition during the (3) years' period preceding the date of publication of the Draft Notification. The details are as under.

Sl. No.	Description of property	Document No. & Date	Total sale consideration including & structure value	Consideration excluding structure value	Rate per square yard.
1	1-11-94	908/2007 19-2-2007	11,52,000/- 48.00 Sq. Yd.	24,000/-	14,625/-
2	1-11-94	81/2006 7-1-2006	9,30,000/- 38.00 Sq. Yd.	24,474/-	11,958/-
3	1-11-249	2721/2006 11-5-2006	2,05,17,832/- 568.00 Sq. Yd.	36,122/-	30,640/-
4	1-10-73	2/2005 2-1-2005	15,00,000/- 86.50 Sq. Yd.	17,341/-	10,520/-
5	1-10-72/5/A	9/2006 2-1-2006	9,96,000/- 50.00 Sq. Yd.	19,920/-	12,000/-
6	1-10-63 & 64	40/2007 8-1-2007	9,94,500 17.56 Sq. yd.	56,634/-	27,162/-

Sale at Sl. No. 2, 4 & 5:-

The sale properties at Sl. No. 2, 4 & 5 are situated in the main road and in the same reach of the properties under acquisition. The sale price per square yard is low when compared to the other sale transaction available in the locality. Hence these sales are discarded.



Sale at Sl. No. 3 & 6:-

The sale property at Sl. No. 3 & 6 is situated on the main road leading from Begumpet to Ameerpt Road. The sale is registered at Rs. 30,640/- & 27,162/- per Sq. Yard which is very exaggerated and it has not basis for assessing the value of the land under acquisition. Therefore not suitable for adopting the value of the land under acquisition. Accordingly this sale is discarded.

Sale at Sl. No. 1:-

The sale at Sl. No. 1 is situated on main road leading from Begumpet to Ameerpet and registered at Rs. 14,625/- per Sq. Yard. Both the properties under acquisition and sale properties have got similarities and same potentiality. As such it is a comparable sale and conveniently adopted for assessing the value of the land under acquisition.

As per the particulars gathered from the Sub-Registrar, the sale transaction is inclusive of Structure Value. If the total sale consideration of the document is adopted it will tantamount to paying the double structure value, as the value of structure existing on the lands under acquisition is assessed by the Executive Engineer, GHMC as per the price index issued by the Government and the same will be adopted for awarding structure value.

Therefore the structure value existing on the sale land as assessed by the Sub-Registrar is deducted from the total sale consideration and net land consideration is arrived at Rs. 7,02,000/- which is worked out to Rs. 14,625/- per Sq. Yard.

Therefore Rs. 15,000/- per Square yard is proposed towards land value for the lands under acquisition.

The Joint Collector, Hyderabad inspected the proposed land under acquisition and approved the Preliminary Valuation Statement in respect of the proposed vide Lr. No. G2/1410/2007 dt. 05-05-2008. Therefore the land value @ Rs. 15,000/- per Sq. yard is fixed towards value of the lands under acquisition.



CLAIMS & TITLES:-

[1] Premises No. 1-10-74. Survey No. 51/2, Extent Notified 0.02 ¼ gts. i.e., (272.25 sq. yds)

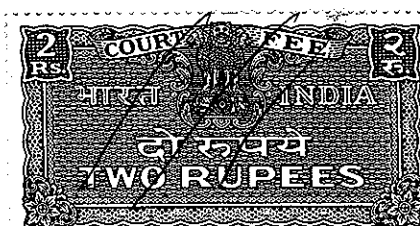
A notice as required U/s 9 (3) and 10 of L.A. Act was issued inviting claims of interest and fixing enquiry into such claim on 5-6-2007. During the Award Enquiry Sri Rajesh D. Shah present and deposed that the property has already been demolished and he started construction under negotiation by availing F.S.I. relaxation and other benefits allowed by GHMC in lieu of land compensation and is not claiming land compensation. The City Planner, Secunderabad and Addl. Commissioner (Town Planning) have also agreed the proposals and he has requested to drop the Land Acquisition process. The ACP, Secunderabad has informed that the land under acquisition has been taken over under private negotiations and requested to withdraw Acquisition proceedings U/s 48(1) of L.A. Act. Therefore no compensation has been awarded in respect of the above property.

[2] Premises No. 1-10-72/3. Survey No. 40/2, Extent Notified 0.02 gts. i.e., (242.00 sq. yds)

MODI HOUSE :-

The 'Modi House' is a commercial complex situated on the main road leading from S.P. Road to Begumpet consisting of ground floor and (2) upper floors.

On 12-06-2007, one Sri. Subash Mehta and (3) others have filed a claim petition stating that their Grand father Late Chotalal Shivram Vyas was filed a suit in OS No. 36 of 1975 in the Court of the Addl. Judge IV, City Civil Court, Hyderabad for the relief of a Judgment and Decree of declaration being Sri Chotalal Shivaram Vyas is the exclusive owner and possessor of the land admeasuring 605 Sq. yards covered by Sy. No. 40 (Old) of Begumpet village. The said suit was decreed by the Hon'ble Court on 29-3-1980 declaring Sri Chotalal Shivaram Vyas as the owner and possessor. Sri Chotalal Shivaram Vyas was died on 10-10-1983. After the death of Sri Chotalal Shivaram Vyas the claimants become the owners and possessors of the said property. Subsequently the claimants have filed a complaint before the Special Court under A.P. Land Grabbing (Prohibition) Act, Hyderabad in LGC No. 144 of 1995 against Sri M.B.S.



Purushotham, Sri Sohan Modi, Sri Sourabh Modi. This L.G.C. No. 144/95 is allowed in favour of the claimants on 19-12-1997 and held that "this is a clear case, where the respondents had grabbed the land belonging to the applicants and had constructed a building called 'Modi House'. The respondents of L.G.C. 144/95 filed a W.P. No. 137 and 8053 of 1998 before the Hon'ble High Court of A.P. Hyderabad. The Hon'ble High Court of A.P. vide orders in the Writ Petition dated 3-2-2000 allowed the W.P. by setting aside the Judgment dated. 19-12-1997 of Special Court under A.P.L.G. Aggrieved by the orders of the Hon'ble High Court of Andhra Pradesh, the claimants preferred S.L.P. (Civil) vide No. 10815 and 10816/2000. The Hon'ble Supreme Court of India passed the following orders:-

"Issue notice. Status quo as on to-day will be maintained"

Therefore the claimants have requested not to disburse any compensation for the land to be acquired to any person till the dispute is decided in the Hon'ble Supreme Court.

On 16-8-2007, Sri Soham Modi and Sourabh Modi have filed a petition stating that the Hon'ble High Court has quashed the Judgment of the L.G.C. in W.P. No. 137 and 8057 / 1998 dt. 3-2-2000. In its Judgment the Hon'ble High Court upheld the title of Modi's by way of adverse possession. The Mehtas have preferred an appeal in Supreme Court in SLP No. 10815 and 10816 of 2000. In its interim order the Hon'ble Supreme Court has given a status quo order on 24-7-2007. In the meantime, to avoid unnecessary and long drawn litigation the Modi's have entered into an Understanding dt.18-7-2001 whereby in consideration of the payment of Rs. 10-00 Lakhs received by the Mehta's they have agreed not agitate this matter any further. Only in case the S.L.P. preferred in the Supreme Court is decided in favour of Mehta's, the Modi's are liable to pay a further sum of Rs.35-00 lakhs to the Mehta's. In case the S.L.P. is decided in favour of Modi's, the Mahta's shall have no further claim against the property known as Modi House or the Modi's. This Understanding is still subsisting and in force. In light of the above they have requested to put aside the claim made by the Mehta's for compensation for the land on which the building known as 'Modi House' has been constructed. Further they have requested to accept the



claim petition made by them and other occupants like Mr. Adhikari, M/s Garden Finance Ltd., M/s Garden Silk Mills Ltd., Mr. Anil Rupani and Mrs. Yasmin Asad.

As seen from the records, the suit filed by Subash Mehta and others i.e. O.S. No. 36/75 claiming 605 Sq. yards in Sy.No.40 was decreed on 29-3-1980. Subsequently the very same plaintiffs in O.S.No.36 of 1975 have filed LGC No. 144 of 1995 against the respondents i.e. Sohab Modi and others and the same were allowed. Aggrieved by which the respondents in LGC No. 144 of 1995 i.e. Sohab Modi and others have filed W.P. Nos. 137/98 and 8053/98 which were allowed on 3-2-2000 whereby the order in LGC No. 144 of 1995 was set aside. After the decision in the Writ petitions Girish Mehta and others filed SLP before the Hon'ble Supreme Court which is still pending.

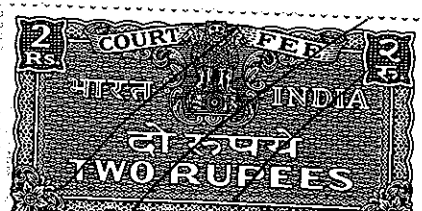
In the mean time, Smt. Dimani K. Mehta and others and Soham Modi and others have entered a Memorandum of Understanding on 18-07-2001, wherein a sum of Rs.10-00 Lakh was paid by Soham Modi and others to Smt. Dimani K. Mehta and others and understanding was in the event of SLP is being allowed Soham Modi and others would pay Rs.35-00 lakhs to the Mehtas and others and in the event SLP is dismissed then the Mehta and others would have no claim over the land on which Modi House is constructed.

The clause 4 of the Memo of understanding is read as under:-

"That in the event of the Mehtas succeeding in the aforementioned SLP's yet the Modis failing to pay the agreed sum of Rs. 35,00,000/- (Rupees thirty five Lakhs only) within the stipulated period then in such eventuality the Mehtas shall have the right to take such legal steps as permitted under law in pursuance of the orders passed by the Hon'ble Supreme Court un favour of Mehtas in the above SLP's."

The clause 6 of the Memo of Understanding is read as under:-

"The Modis specifically agreed with the Mehtas that Mehtas are free to pursue their rightful claim for such other part of land out of the total area of 605 Sq. Yds after leaving of such areas of land over which Modi House is constructed



with the respective department of Government of Andhra Pradesh to claim such compensation of area acquired for road widening and the Modi shall not have any share, right or claim or whatsoever in the nature in the claim of the Mehtas. Further Modis will cooperate and do all that is reasonably required to do in preferring the claim by Mehtas for such compensation for the land lost in road widening".

As seen from the records Mr. Soham Modi and another has filed the claim petition on 12-6-2007 followed by additional claim dated.16-8-2007, wherein they have claimed the compensation for road widening to the extent of the land on which Modi House constructed only, not with regard to the other extent. It can be seen from the claim petition filed by Smt. Dimani K. Mehta and others on 4-8-2007 wherein they have stated that SLP No. 10815/2000 and SLP No. 10816/2000 have been decided. As such Mr. Modi and others were liable to pay Rs. 35,00,000/- within a period of 2 ½ months from the date of disposal of SLP and has not performed their part of Memo of understanding. The Memo of understanding for want of compliance stood cancelled. But however, the statement made by Smt. Dimani K. Mehta and 3 others is not correct. As such the SLP is still pending in the Supreme Court.

As per the Memo of understanding dated. 18-7-2001 the Modi's are entitled to the compensation for the purpose of road widening which is due from the GHMC to the extent of the constructed area of Modi House only and not for the other open land which was acquired earlier and as such Smt. Dimani K. Mehta and others are in no way concerned with the compensation payable for the land on which the Modi House is constructed and it is only the owners of various portions of Modi House like M/s Garden Silk Mills Ltd, Mr. Anil Rupani, Mrs. Yasmin Asad and Mr. Adhikari who are entitled for the compensation. The claim of Smt. Dimani K. Mehta and others against Mr. Soham Modi and others could be for a sum of Rs. 35,00,000/- in the event they succeed in the above mentioned SLPs and they have no right to claim any compensation from GHMC for the land on which Modi House is constructed.



The area 'Modi House' has been notified under acquisition is 0-02 gts equivalent to 242-00 Sq. yards. The area is apportioned to all the claimants proportionately according to their shares in the documents as shown below:-

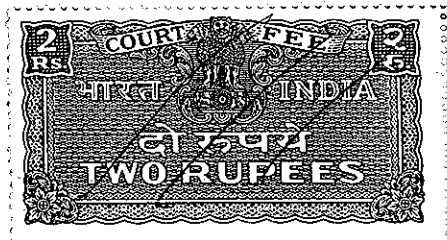
1. Sri Soham Modi Sri Sourabh Modi	65.88
2. Anil Jaikishan Rupam	11.50
3. Mrs. Yasmin Asad	3.30
4. Brigadier S.S. Adhikari	80.66
5. M/s Garden Silks Ltd	<u>80.66</u>
Total	<u>242.00</u>

The following claims received in the complex are discussed as below:-

[1] Sri Soham Modi and Sourabh Modi (Ground Floor):-

In response to the notice U/s 9 (3) and 10 of L.A. Act issued inviting claims and interest and fixing enquiry into such claims, Sri Soham Modi has present and filed claim petition and copies of Sale Deeds bearing No. 3530 and 3529 dt. 24-7-1993. In the claim petition of Soham Modi and Sourabh Modi have stated that originally they have purchased about 376-00 Sq. yds of land through the above two Registered Sale deeds and constructed Ground and (2) upper floors by them and they have sold portions of the building to the others under registered Sale Deeds. Keeping with them an area of 1895 S.ft. along with 99.58 Sq. yds of undivided share of land on the ground floor. The claimants have claimed compensation of land value @ Rs.30,000/- per Sq. yard.

Regarding the extent under acquisition it is mentioned here that the lands requisitioned for acquisition are surveyed, demarcated and Sub-Division Records prepared with reference to the records of Survey and Land Records and the Assistant Director will attest the Sub-Division Record. In this case the area attested by Assistant Director in the Sub-Division Record is 0-02 gts equivalent to 242.00 Sq. Yds. Therefore the attested area is adopted for the purpose of acquisition. The proportionate share of land under acquisition works out to 65.88 Sq.yds.



Structure value:-

The value of structures existing on the land notified has been assessed by the Executive Engineer, GHMC, Hyderabad amounting to Rs. 12,41,530/-. Hence the same is adopted for award.

The compensation amount is worked out as shown below:-

1	Land value @ Rs. 15,000/- per Sq. yard Extent of land acquired in the Premises No. 1-10-72/2/3/A, (Ground floor portion area comes to 65.88 Sq. yds.	Rs. 9,88,200=00
2	30% Solatium on Land value as admissible under Section 23 (2) of the L.A. Act.	Rs. 2,96,460=00
3	12% Add. Market value on land value from the date of Notification to date of Award i.e. from 19-5-2007 to 5-8-2008 i.e (445 days) as admissible U/s 23 (1-A) of the L.A. Act.	Rs. 1,44,575=01
4	Structure Value	Rs. 12,41,530=00
5	Total	Rs. 26,70,765=01 Or Rs. 26,70,765=00

The compensation amount of Rs. 26,70,765=00 is awarded in favour of the following persons equally.

1. Soham Modi Rs. 13,35,383=00
2. Sourabh Modi Rs. 13,35,382=00

[2] Sri Anil Jaikishan Rupani (Ground floor):-

In response to the notice U/s 9 (3) and 10 of L.A. Act issued inviting claims and interest and fixing enquiry into such claims on 5-6-2007, Sri Anil Jaikishan Rupani has present and filed claim petition and copies of Sale Deeds bearing No. 805/2000 and 806/2000 dt. 16-3-2000. Through the sale deed No. 805/2000, Sri Anil Jaikishan Rupani has purchased the property admeasuring 225-00 sq. ft on the ground floor of the building known as 'Modi House' bearing part of Municipal No. 1-10-72/2/3 situated at Begumpet, Hyderabad with undivided share of land 11.25 Sq.yds from Soham Modi S/o Satish Modi. Through the Sale Deed No. 806/2000, Sri Anil Jaikishan Rupani has purchased the property admeasuring 125 Sq. ft on the ground floor and 80 Sq.ft on the magazine floor of the building known as 'Modi House' with undivided share of

land 6.25 Sq. yds. The total area of two documents is 11.25 + 6.25 = 17.50 Sq. yds. The proportionate share of land under acquisition works out to 11.50 Sq.yds.

Structure value:-

The value of structures existing on the land notified has been assessed by the Executive Engineer, GHMC, Hyderabad amounting to Rs. 2,13,193/-. Hence the same is adopted for award.

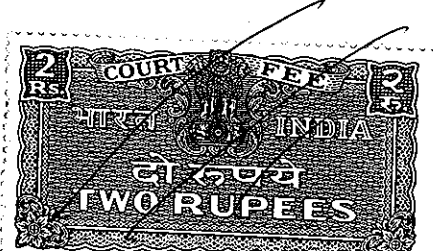
The compensation amount is worked out as shown below:-

1	Land value @ Rs. 15,000/- per Sq. yard Extent of land acquired in the Premises No. 1-10-72/2/3/A, (Ground floor portion area comes to 11.50 Sq. yds.	Rs. 1,72,500=00
2	30% Solatium on Land value as admissible under Section 23 (2) of the L.A. Act.	Rs. 51,750=00
3	12% Add. Market value on land value from the date of Notification to date of Award i.e. from 19-5-2007 to 5-8-2008 i.e (445 days) as admissible U/s 23 (1-A) of the L.A. Act.	Rs. 25,236=99
4	Structure Value	Rs. 2,13,193=00
5	Total	Rs. 4,62,679=99 or Rs. 4,62,680=00

The compensation amount of Rs. 4,62,680=00 is awarded in favour of Sri Anil Jaikishan Rupani S/o Jaikishan Rupani.

[3] Mrs. Yasmin Asad W/o Ajmal Asad (Ground floor) :-

In response to the notice U/s 9 (3) and 10 of L.A. Act issued inviting claims and interest and fixing enquiry into such claims on 5-6-2007, Mrs. Yasmin Asad W/o Ajmal Asad has present and filed claim petition and copy of Sale Deed bearing No. 1736/2000 Dt. 12-6-2000. Through the sale deed No. 1736/2000, Mrs. Yasmin Asad W/o Ajmal Asad has purchased an extent of 110-00 Sq. ft with undivided share of 5-0 Sq. yds on the ground floor of the building known as 'Modi House' bearing part of Municipal No. 1-10-72/2/3 situated at Begumpet, Hyderabad. Therefore, Mrs. Yasmin Asad w/o Ajmal Asad is entitled to receive the compensation of property under acquisition. The proportionate share of land under acquisition works out to 3.30 Sq.yds.



Structure value:-

The value of structures existing on the land notified has been assessed by the Executive Engineer, GHMC, Hyderabad amounting to Rs. 56,979/-. Hence the same is adopted for award.

The compensation amount is worked out as shown below:-

1	Land value @ Rs. 15,000/- per Sq. yard Extent of land acquired in the Premises No. 1-10-72/2/3/A, (Ground floor portion area comes to 3.30 Sq. yds.	Rs. 49,500=00
2	30% Solatium on Land value as admissible under Section 23 (2) of the L.A. Act.	Rs. 14,850=00
3	12% Add. Market value on land value from the date of Notification to date of Award i.e. from 19-5-2007 to 5-8-2008 i.e (445 days) as admissible U/s 23 (1-A) of the L.A. Act.	Rs. 7,241=92
4	Structure Value	Rs. 56,979=00
5	Total	Rs. 1,28,570=92 or Rs. 1,28,571=00

The compensation amount of Rs. 1,28,571=00 is awarded in favour of Mrs. Yasmin Asad w/o Ajmal Asad

[4] Sri Brigadier S.S. Adhikari Premises No. 1-10-72/2/3/A (First floor) :-

In response to the notice U/s 9 (3) and 10 of L.A. Act issued inviting claims and interest and fixing enquiry into such claims on 5-6-2007, Mr Brigadier S.S. Adhikari has present and filed claim petition and copies of Sale Deeds bearing No. 1344/95dt 28-4-1995, 1345/95, 28-4-1995. In the claim petition S.S. Adhikari stated that he and his wife have purchased the entire first floor admeasuring 2700 Sq. ft along with undivided share of land 128.92 Sq. yards in the building No. 1-10-72/2/3 known as 'Modi House' situated at S.P. Road, Secunderabad vide Registered Sale Deeds from Sourabh Modi and Soham Modi. In claim petition the claimant has claimed the compensation of the land value @ Rs.50,000/- per Sq. yard and the structure value @ Rs.800/- per Sq/ ft. The proportionate share of land under acquisition works out to 80.66 Sq.yds.

Structure value:-

The value of structures existing on the land notified has been assessed by the Executive Engineer, GHMC, Hyderabad amounting to Rs.12,04,653/-. Hence the same is adopted for award.

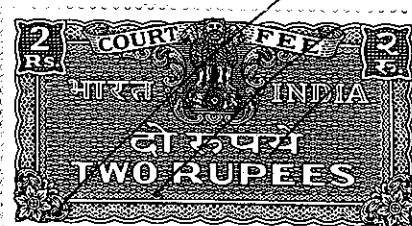
The compensation amount is worked out as shown below:-

1	Land value @ Rs. 15,000/- per Sq. yard Extent of land acquired in the Premises No. 1-10-72/2/3/A, (First Floor portion area comes to 80.66 Sq. yds.	Rs. 12,09,900=00
2	30% Solatium on Land value as admissible under Section 23 (2) of the L.A. Act.	Rs. 3,62,970=00
3	12% Add. Market value on land value from the date of Notification to date of Award i.e. from 19-5-2007 to 5-8-2008 i.e (445 days) as admissible U/s 23 (1-A) of the L.A. Act.	Rs. 1,77,010=03
4	Structure Value	Rs. 12,04,653=00
5	Total	Rs. 29,54,533=03 or Rs. 29,54,533=00

The compensation amount of Rs. 29,54,533=00 is awarded in favour of Mr Brigadier S.S. Adhikari.

[5] M/s Garden Silk Mills Ltd, Premises No. 1-10-72/2/3/A (Second floor) :-

In response to the notice U/s 9 (3) and 10 of L.A. Act issued inviting claims and interest and fixing enquiry into such claims on 5-6-2007, M/s Garden Silk Mills Ltd through their Counsel has present and filed claim petition and copies of Sale Deeds bearing No. 1064/95, 1190/95, 1115/95 and 1101/95 dated 8th and 9th December, 1994. The claimant has stated that they have purchased the property bearing premises No.1-10-72/2/3 and 1-10-72/2/3/A admeasuring 2700 Sq. ft on second floor of 'Modi House' along with undivided share of land 126.96 Sq. yds through the above four Registered Sale Deeds in the name of Garden Finance Ltd and Garden Silk Mills Ltd. Subsequently Garden Finance Ltd has been merged with Garden Sil Mills Ltd. The claimant has claimed the compensation @ Rs.8000/- per Sq/ft. The proportionate share of land under acquisition works out to 80.66 Sq.yds.



Structure value:-

The value of structures existing on the land notified has been assessed by the Executive Engineer, GHMC, Hyderabad amounting to Rs. 13,16,348/-. Hence the same is adopted for award.

The compensation amount is worked out as shown below:-

1	Land value @ Rs. 15,000/- per Sq. yard Extent of land acquired in the Premises No. 1-10-72/2/3/A, (Second Floor portion area comes to 80.66 Sq. yds.	Rs. 12,09,900=00
2	30% Solatium on Land value as admissible under Section 23 (2) of the L.A. Act.	Rs. 3,62,970=00
3	12% Add. Market value on land value from the date of Notification to date of Award i.e. from 19-5-2007 to 5-8-2008 i.e (445 days) as admissible U/s 23 (1-A) of the L.A. Act.	Rs. 1,77,010=03
4	Structure Value	Rs. 13,16,348=00
5	Total	Rs. 30,66,228=03 or Rs. 30,66,228=00

The compensation amount of Rs. 30,66,228=00 is awarded in favour of M/s Garden Silk Mills Limited.

All the claimants in their petitions filed by Soham Modi and others claimed Rs. 30,000 to 50,000/- per Sq. Yd towards the land value. They have not filed any documentary evidence in support of their claim. Hence needs no consideration. Further they have claimed 15,000 per S. ft towards the value of the structures affected. They have not filed any documentary evidence. Hence need no consideration. However the concerned Executive Engineer of the GHMC assessed the value of the structures existing on the affected land as per the price index/ guide lines issued by the Government. The same has been adopted for awarding the compensation towards the value of the structures. Sri M.A. Razaack and Sunil Murlidhar Ahuja, tenants in the building on the ground floor of 'Modi House' have filed petitions stating that they have spent huge amount in decoration and renovation of the show rooms while spending more than Rs.20-00 lakh. They further stated that the furniture and fixtures provided in the show rooms are not mentioned in the Notification and requested to notify all the valuable furniture, fixtures and other valuable things in their names. In this

regard it is pertinent to mention that the movable properties like furniture, fixtures and decorations can not be notified and there is no provision to pay the compensation in favour of the tenants. Hence their request can not be considered.

ABSTRACT

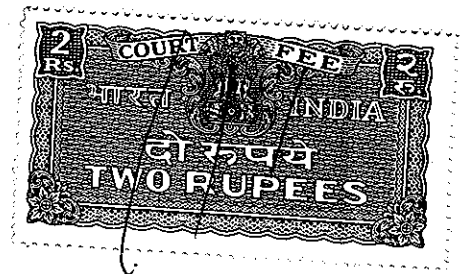
Sl. No	Premises No.	Extent Notified in Sq.yds	Land value @ Rs. 15,000/- per Sq.yd	30% Solatium	Addl. M.V. @ 12% from 19-5-2007 to 5-8-2008 (445 days)	Structure Value	Total	Rounded to Nearest Rupees
1	1-10-72/2/3/A (Ground Floor)	65.88	988200.00	296460.00	144575.01	1241530	2670765.01	2670765
2	1-10-72/2/3/A (Ground Floor)	11.50	172500.00	51750.00	25236.99	213193	462679.99	462680
3	1-10-72/2/3/A (Ground Floor)	3.30	49500.00	14850.00	7241.92	56979	128570.92	128571
4	1-10-72/2/3/A (First Floor)	80.66	1209900.00	362970.00	177010.03	1204653	2954533.03	2954533
5	1-10-72/2/3/A (Second Floor)	80.66	1209900.00	362970.00	177010.03	1316348	3066228.03	3066228
	Total:-	242.00	3630000.00	1089000.00	531073.97	4032703	9282776.97	9282777

Typed to dictation and pronounced in open court on this 5th day of August - 2008.

Spl. Dy. Collector,
LA. GHMC. Hyderabad.

File no. A/1213/2008
CERTIFIED COPY dt 24-9-08

- (1). NAME OF THE APPLICANT... SOHAM MODI
- (2). DATE OF APPLICATION... 22-9-2008
- (3). DATE OF PREPARATION... 25-9-2008
- (4). NO. OF FOLIOS... (9) nos
- (5). READ BY... N. Venkatesh
- (6). DATE OF DELIVERY... 25-9-2008



N. Venkatesh
26/9/08
DY. TAHSILDAR

OFFICE OF THE
SPECIAL DEPUTY COLLECTOR
LA (GHMC), HYDERABAD.



Modi Hans file

Land acquisition order by GHP