

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C. Ref No. 01 of 2018

Order with signature of Judge(s)

- For hearing of Reference No.01/2018

02.10.2018

Malik Altaf Javed, Advocate for Applicant Nos.1 and 2
Mr. Abdullah Munshi, Advocate for Applicant/Objector No.3
Mr. Parvez Ahmed Mastoi, AAG a/w Ms. Nazia Samon, State Counsel

The case of the applicants is that the compensation of Rs.60 Lakh/acre granted in respect of their land acquired under the Land Acquisition Act, 1894 is not adequate as it does not correspond to the market value of similar lands. With these objections, the instant Reference has been moved.

Squarely, posing basic questions as to what was the reasonable market value of the land acquired by the respondent, and whether the determination arrived at the rate of Rs.60 lacs per acre was in accordance with law keeping in mind the realities of the market. Counsel assisted this Court by bringing case laws being 1985 SCMR 224 [Wali Ahmad v. Collector, Land Acquisition and others], PLD 1985 Quetta 105 [Aidoo and 4 others v. Collector/Deputy Commissioner, Lasbella, District Uthal] and AIR 1964 Andhra Pradesh 264 (V 51 C 67) to answer this Court's preliminary objection that whether this Reference is maintainable once payment has already been received by the applicants. After having successfully discharging that burden, now the matter pertains to the questions raised hereinabove. Of particular reference is the scheme laid down under Section 23 of the Land Acquisition Act. Learned counsel are continuing with the arguments. To come up on 11.10.2018 at 11:00 a.m.

JUDGE