

LAND ACQUISITION ACT

APPEALS BOARD

AB 1996.552 & AB 1996.628  
(Consolidated by Order of the Board  
dated 2000 November 17)

In the Matter of the Acquisition of Land at  
Lot 825 of Town Subdivision 18 and  
Lot 254-24 of Town Subdivision 18

Between

1 Chan Tai Moy, and  
2 Lee Kin Hong

... Appellants

And

Collector of Land Revenue

... Respondent

DECISION

The decision of this Board is:

(1) That the awards of the Collector of Land Revenue in respect of the land at Lot 825 of Town Subdivision 18 in AB 552/96 and in respect of the land at Lot 254-24 of Town Subdivision 18 in AB 628/96 are annulled and in their place an award is made of compensation to the Appellants in an amount of \$1 700 000 in respect of the land at the said Lots 825 and 254-24 of Town Subdivision 18;

And

(2) That the sums paid by the Collector of Land Revenue under the awards now annulled are to be retained by the Appellants as sums paid on account of the award this day made;

And

(3) That the Collector of Land Revenue pay to the Appellants the balance of the award together with interest at 6% per annum from the date on which he took possession of the said land down to the date of payment;

And

(4) That this Board makes no Order as to costs.

## BRIEF STATEMENT OF REASONS

The reasons for the Decision/Order are:

- (1) The Collector of Land Revenue awarded \$1 in respect of the said land at Lot 825 of Town Subdivision 24 and a total of \$1 588 000 in respect of the said land at Lot 254-24 of Town Subdivision 24 and these appeals have been consolidated as one appeal in respect of both awards.
- (2) The said Lots 825 and 254-24 of Town Subdivision 18 are contiguous lots and comprise land on which a corner terrace house 96 Tessensohn Road had been erected and which had been held and enjoyed as a single parcel of land until possession was taken by the Collector of Land Revenue.
- (3) The Appellants are the only persons interested in the said land comprised in both the said lots.
- (4) The awards of the Collector of Land Revenue in respect of the said land are inadequate in that this Board found that the market value of the said land as at 1 January 1995 was \$1 700 000.
- (5) The Appellants claim \$2 200 000 in their Petition of Appeal (as amended) which exceeds the amount awarded by this Board by more than 20% and under s 32(4) they are not entitled to costs.

Dated 2001 March 22

Commissioner of Appeals T Q Lim  
Assessor Y C Wong  
Assessor Wong Chak Wai