

(2016) 11 SC CK 0099

SUPREME COURT OF INDIA

Case No: Civil Appeal No. 10831 of 2016 (Arising out of SLP (Civil) No. 22231 of 2015).

Ashok Kumar and Others -

Appellants @HASH Union of
India and Another

APPELLANT

Vs

RESPONDENT

Date of Decision: Nov. 29, 2016

Citation: (2017) 1 JCR 267 : (2017) 3 RCRCivil 200 : (2017) 3 RecentApexJudgments(RAJ) 331
: (2016) 12 Scale 394

Hon'ble Judges: Dipak Misra and Amitava Roy, JJ.

Bench: Division Bench

Advocate: Arvind Kr. Sharma, Dev Prakash Bhardwaj, Advocates, for the Appellants;
Ashwani Kumar, Rahul Bhatia, Ms. Rachana Srivastava, Vishnu B. Saharya, Advocates, for
the Respondents

Final Decision: Disposed Of

Judgement

Amitava Roy, J. - Heard Mr. Arvind Kumar Sharma, learned counsel for the appellants and Mr. R. Balasubramaniam, Mr. Vishnu B. Saharya, Ms. Rachna Srivastava, Ms. Shashi Kiran, Mr. Ashwani Kumar, Mr. Govind Goel and Ms. Garima Prashad, learned counsel for the respondents.

(A) C.A. No. 10838 of 2016 @ SLP (C) No.32064 of 2015, C.A. No. 10839 of 2016 @ SLP (C) No.32065 of 2015, C.A. No. 10840 of 2016 @ SLP (C) No.32066 of 2015 and C.A. No. 10843 of 2016 @ SLP (C) No. 32059 of 2015

2. It is submitted at the Bar, that the verdict rendered by this Court in Civil Appeal No.1726 of 2015 (dated 18.03.2015) - Suresh Prasad @ Hari Kishan & Ors. v. Union of India & Anr., deciding the same along with a batch of appeals would adequately answer the issues raised herein, as the all relevant facets i.e. location of the land in village Masoodabad, notifications for acquisition under the Land Acquisition Act, 1894 (for short, the "Act") as well as the quantification of the compensation awarded

by the Land Acquisition Officer, Reference Court and the High Court are same. In this view of the matter further dilation of individual facts is considered inessential.

3. On a consideration of the explanation offered, the delay involved in preferring the appeals, in the singular facts and circumstances, is hereby condoned. The amount of compensation as granted by this Court in Suresh Prasad (supra) is also awarded to the appellants i.e. Rs. 24 lacs per acre. Needless to say, the appellants would be entitled to all statutory benefits under the Act including interest as payable in terms of the above decision.

(B) C.A. No. 10831 of 2016 @ SLP(C) No.22231/2015, C.A. NO.10832 OF 2016 @ SLP(C) No.22232/2015, C.A. NO.10833 OF 2016 @ SLP(C) No.22233/2015, C.A. NO.10834 OF 2016 @ SLP(C) No.22238/2015, C.A. NO.10835 OF 2016 @ SLP(C) No.22239/2015, C.A. NO.10836 OF 2016 @ SLP(C) No.30715/2015, C.A. NO.10844 OF 2016 @ SLP(C) No.30714/2015, C.A. NO.10845 OF 2016 @ SLP(C) No.23491/2015, C.A. NO.10846 OF 2016 @ SLP(C) No.22229/2015 and C.A. NO.10847 OF 2016 @ SLP(C) No.31571/2015.

4. It is submitted at the Bar that the ruling by this Court in Civil Appeal Nos.10982-11033 of 2014 (dated 11.12.2014) - Charan Singh & Ors. Etc. v. Union of India & Anr., deciding the same along with a batch of appeals would adequately address the issues raised herein, as the all relevant facets i.e. location of the land in village Bamnoli, notifications for acquisition under the Act as well as the quantification of the compensation awarded by the Land Acquisition Officer, Reference Court and the High Court are same. In this view of the matter further dilation of individual facts is considered inessential.

5. On a consideration of the explanation offered, the delay involved in preferring the appeals, in the singular facts and circumstances, is hereby condoned. The amount of compensation as granted by this Court in Charan Singh (supra) is also awarded to the appellants i.e. Rs. 25 lacs per acre for land in Block "A" and Rs. 22 lacs per acre for land in Block "B". Needless to say, the appellants would be entitled all statutory benefits under the Act including interest as payable in terms of the above decision.

(C) C.A. NO.10848 OF 2016 @ SLP(C) No.27290/2015, C.A. NO.10849 OF 2016 @ SLP(C) No.29681/2015 and C.A. NO.10850 OF 2016 @ SLP(C) No.12343/2015.

6. It is submitted at the Bar that the decision rendered by this Court in Civil Appeal No. 2091 of 2014 (dated 13.02.2014) - Impulse India Pvt. Ltd. v. Union of India & Anr., deciding the same along with a batch of other appeals would adequately cover the issues raised herein, as the all relevant facets i.e. location of the land in village Bijwasan, Pochanpur and Bharthal, notifications for acquisition under the Act as well as the quantification of the compensation awarded by the Land Acquisition Officer, Reference Court and the High Court are same. In this view of the matter further dilation of individual facts is considered inessential.

7. On a consideration of the explanation offered, the delay involved in preferring the appeals, in the singular facts and circumstances, is hereby condoned. The amount of compensation as granted by this Court in Impulse India Pvt. Ltd. (supra) is also awarded to the appellants i.e. Rs. 21 lacs per acre for land in Block "A" and Rs. 19 lacs per acre for land in Block "B". Needless to say, the appellants would be entitled all statutory benefits under the Act including interest as payable in terms of the above decision.

8. The appeals had been analogously heard and have thus been disposed of in the above terms. Costs easy.