

14.11.2019

Present: Mr. Desh Raj Thakur, Additional Advocate General, with M/s R.P. Singh and Kamal Kant, Deputy Advocate Generals for appellants.

Ms. Kamlesh Kumari, Advocate, vice Ms. Anandita Sharma, Advocate, for respondents No.1(a) to 1(c) and 2 to 4 and for respondents in RFA No.86 of 2018.

CMP No.11274/2019 in RFA No.84/2018

This application has been filed for release of compensation amount in favour of the land owners, however, perusal of account numbers mentioned in the application, indicates that amount falling in share of Sushma Devi has been sought to be released in favour of Manorama Sharma, who is her GPA, which is not permissible in law.

Faced with this situation, on the request of learned vice counsel appearing for the applicants-respondents, matter is adjourned for one week. List thereafter.

RFA No. 84 of 2018

Amended memo of parties filed by the appellant is also incorrect. Correct amended memo of parties be filed within one week. List thereafter.

CMP No. 11277/2019 in RFA No.86/2018

This application has been filed for release of compensation amount, which has been opposed by the appellant/non-applicant/State, on the ground that compensation awarded is on higher side and there is every likelihood of reduction thereof. Whereas, learned counsel for the applicants/respondents/claimants, submits that land owners have been deprived of their landed property and they are agitating for just and fair compensation since long.

Considering the rival contentions of parties, instead of releasing entire compensation amount, it would be in the interest of justice to release 50% of compensation amount, alongwith up-to-date interest, in favour of applicants, as per their entitlement in terms of award, by remitting the same in their respective bank accounts mentioned in para-2 of the application, on production of photocopies of front pages of their Pass Books. Application stands disposed of.

RFA No. 86 of 2018

List alongwith RFA No.84 of 2018.

(Vivek Singh Thakur)
Judge

November 14, 2019
(Purohit)