

&
C.A.No. 2776-2777 OF 2001
ITEM No.1

Court No. 8

SECTION XVI
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No.2776-2777/2001

GAUTAM ROY

Appellant (s)

VERSUS

STATE OF WEST BENGAL & ORS.

Respondent (s)

(With prayer for interim relief)
(With Appln(s). for substitutio and C/delay and setting aside
abatement)

Date : 21/08/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.P. MISRA
HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

For Appellant (s) Mr. Dinesh Dwivedi, Sr. Adv.
Mr. N.N. Goswami, Sr. Adv.
Mr. Kishan Datta, Adv.

For Respondent (s) Mr. Gaurab Banerjee, Adv.
Mr. Uma Datta, Adv.

Mr. H.K. Puri, Adv.
Mr. S.K. Puri, Adv.
Mr. Rajesh Srivastava, Adv.
Mr. Ujjwal Banerjee, Adv.
Ms. Anindita Gupta, Adv.

UPON hearing counsel the Court made the following
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The appeals are disposed of.

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(Ganga Thakur)
P.S.to Registrar

(V.P. Tyagi)
Court Master

Signed order is placed on the file.

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IN THE SUPREME COURT OF INDIA@@
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CIVIL APPELLATE JURISDICTION@@
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Gautam Roy

..... Appellant (s)

-Versus-

State of West Bengal & Ors.

..... Respondents.

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Delay condoned.

Substitution allowed.

The Lrs. are already on record and are represented today.

Heard learned counsel for the parties.

The question raised is about the payment of compensation. Whether it should be paid to the land holders or to the appellant, the assignee of the land holders who also holds power of attorney on behalf of the land owners. The High Court rejected the claim of the appellant as he did not, on his own right, participate in the claim proceedings but participated only as assignee of the land holder.

We heard learned counsel for the parties. Today, there is no objection by the land holders of this payment being made to the appellant. To this, learned counsel for the State has no objection provided the appellant

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indemnify the State for the amount he is going to receive. In view of the said conscientious we pass the order in the same terms.

The impugned order of the High Court is set aside. It is ordered that the payment, which is to be made to the land owners, may be made to the appellant in his name. All the learned counsel appearing for the land owners have made a statement before this Court that the land holders have no objection for the said payment being made to the appellant. We direct the appellant to indemnify the State for the amount he is going to receive from the Government within a period of six weeks from today which may be other than cash and Bank guarantee. On the said payment and indemnity being made it will also absolve the State Government of all its liabilities in respect of all the matters which are before us.

With the aforesaid direction the present appeal is finally disposed of.

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.....J.
(A.P. Misra)

New Delhi,

.....J.

August 21, 2001.

(P. Venkatarama Reddi)