

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5571 OF 2001

ASHWANI KUMAR OJHA & ORS

Appellant (s)

VERSUS

DEVENDRA NATH OJHA (DEAD BY LRS.)& ORS.

Respondent(s)

ORDER

We have heard learned counsel for the parties.

The short controversy is confined to apportionment of the compensation amount received in the land acquisition matter. According to the judgment dated 25.8.1999 of the learned Single Judge which is Annexure P.3, the total amount of compensation awarded was Rs.8,29,196/-. Learned counsel for the parties are not sure whether the amount is lying with the Collector (Land Acquisition) or in other Forum. Be that as it may, in the interest of justice, we direct that the amount of Rs.8,29,196/- and any interest on that amount be apportioned between the appellants and the respondents in equal proportion. We request the Registrar of the High Court to ensure that both the appellants and the respondents are paid the compensation amount in equal proportion.

2

No further directions are necessary and this appeal is, accordingly, disposed of leaving the parties to bear their own costs.

.....J.
(Dalveer Bhandari)

.....J.
(P. Sathasivam)

New Delhi;
March 19, 2009.

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 5571 OF 2001

ASHWANI KUMAR OJHA & ORS

Appellant (s)

VERSUS

DEVENDRA NATH OJHA (DEAD BY LRS.)& ORS.

Respondent(s)

(With office report)

Date: 19/03/2009 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE P. SATHASIVAM

For Appellant(s) Mr. S.B. Sanyal, Sr. Adv.

Mr. Rana S. Biswas, Adv.
Mr. B.P. Yadav, Adv.
Mrs. Sarla Chandra, Adv.

For Respondent(s) Mr. S.K. Bhattacharya ,Adv

Mr. Rameshwar Prasad Goyal ,Adv

Mr. S.B. Upadhyay, Sr. Adv.
Mr. Ankit Shah, Adv.
Ms. Aaisha Upadhyay, Adv.
Ms. Sharmila Upadhyay ,Adv

UPON hearing counsel the Court made the following
ORDER

This appeal is disposed of in terms of the signed order leaving
the parties to bear their own costs.

(K.K. Chawla)
A.R.-Cum-P.S.

(Shashi Bala Vij)
Court Master

4

[Signed order is placed on the file]