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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7674 OF 2011
(@SPECIAL LEAVE PETITION @ NO.7673 OF 2006)

MUZEBUDDEEN
VERSUS
STATE OF M.P. & ANR.

APPELLANT
RESPONDENTS

WITH
CIVIL APPEAL NO. 7675 OF 2011
(@SPECIAL LEAVE PETITION @ NO.8112 OF 2006)

RAMKHELAMAN
VERSUS
STATE OF M.P. & ANR.

APPELLANT
RESPONDENTS

WITH
CIVIL APPEAL NO. 7676 OF 2011
(@SPECIAL LEAVE PETITION @ NO.8113 OF 2006)

RAMAWATAR
VERSUS
STATE OF M.P. & ANR.

APPELLANT
RESPONDENTS

WITH
CIVIL APPEAL NO. 7677 OF 2011
(@SPECIAL LEAVE PETITION @ NO.8114 OF 2006)

MAHESH PRASAD
VERSUS
STATE OF M.P. & ANR.

APPELLANT
RESPONDENTS

WITH
CIVIL APPEAL NO. 7678 OF 2011
(@SPECIAL LEAVE PETITION @ NO.11542 OF 2006)

LAXMAN PRASAD
VERSUS
STATE OF M.P. & ANR.

APPELLANT
RESPONDENTS

: 2 :

CIVIL APPEAL NO. 7679 OF 2011
(@SPECIAL LEAVE PETITION @ NO.6558 OF 2006)

BUDHASEN
VERSUS
STATE OF M.P. & ORS.

APPELLANT
RESPONDENTS

AND WITH
CIVIL APPEAL NO. 7680 OF 2011
(@SPECIAL LEAVE PETITION @ NO.5983 OF 2006)

RAMAWATAR (D) BY LRS. & ORS.

APPELLANTS

VERSUS

STATE OF M.P. & ANR.

RESPONDENTS

O R D E R

We have heard learned counsel for the parties.

Delay condoned.

Leave granted in all the Special Leave Petitions.

By this common order, we are disposing of these appeals.

By the Notification issued under Sections 4 and 17(1) of the Land Acquisition Act, 1894 on 17.10.1982, total land admeasuring 134.913 hectares situate in village Babupur, Nipania, Dohi and Khuar, Tahsil Hujur, Rewa was acquired.

Out of that, the land of the appellant-Muzebuddeen is measuring 1.376 hectares only in Khasra Nos.472,473,480, and 481, the land of the appellant - Ramkhelaman is measuring 6.119 hectares only(i.e. 2.209 hectares in Village Nipania, 3.319 hectares and 0.591 hectares in Village Babupur) in Khasra Nos.452/2, 453/2, 15 to 19, 24, 25, 27 to 29, 21 and 22 : 3 :

respectively, the land of the appellant - Ram Awatar is measuring 1.123 hectares only in Khasra No. 453/3, the land of the appellant - Mahesh Prasad is measuring 0.313 hectares only in Khasra No.454/4, the land of the appellant - Laxman Prasad is measuring 2.830 hectares only in Khasra Nos.452/1, the land of the appellant - Budhasen is measuring 0.626 hectares only in Khasra No.454/B, 454/C1 and the land of the appellant - Ramawatar is measuring 32 acres only.

The Reference Court, by a well reasoned order, awarded compensation of Rs.25,000/- per acre in all the cases.

The High Court, in the impugned judgment/order, has reduced the compensation from Rs.25,000/- per acre to Rs.20,000/- without any sound basis. In our opinion, interference by the High Court was totally uncalled for. We see no justification for the High Court in reducing the compensation of the appellants.

In this

view of the matter, we are constrained to set aside the impugned judgment of the High Court and restore the order of the Reference Court. The appellants would be entitled to a compensation of Rs.25,000/- per acre along with other statutory benefits.

We, accordingly, restore the order passed by the Reference Court granting compensation at the rate of Rs.25,000/- per acre plus all the statutory benefits as contemplated under the law.

: 4 :

Consequently, we direct the State of Madhya Pradesh to pay the amount calculated at the rate of Rs.25,000/- per acre plus other benefits as contemplated under law to the appellants. The amount already paid to the appellants shall be adjusted and the remaining amount be paid to the appellants within three months from today.

These appeals are allowed and disposed of accordingly, leaving the parties to bear their own cost.

.....J.
(DALVEER BHANDARI)

.....J.
(DEEPAK VERMA)

NEW DELHI;
6TH SEPTEMBER, 2011
ITEM NO.3

COURT NO.4

SECTION IVA

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

Petition(s) for Special Leave to Appeal (Civil) No(s).7673/2006
(From the judgement and order dated 11/07/2005 in FA
No.291/2001 of The HIGH COURT OF M.P. AT JABALPUR)

MUZEBUDEEN

Petitioner(s)

VERSUS

STATE OF M.P. & ANR.

Respondent(s)

SLP(C) NO. 5983 of 2006
(with office report)
WITH SLP(C) NO. 11542 of 2006
SLP(C) NO. 6558 of 2006
SLP(C) NO. 8112 of 2006
SLP(C) NO. 8113 of 2006
SLP(C) NO. 8114 of 2006

(With appln.(s) for c/delay in filing/refiling SLP and office report)
(ALL FOR FINAL DISPOSAL)

Date: 06/09/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr.Sandeep S.Twari, Adv.
 Mr.Yogendra Kr.Dwivedi, Adv.
 Mr. Shiv Sagar Tiwari,Adv.

For Respondent(s) Mr. B.S. Banthia,Adv.

 Ms. Vibha Datta Makhija, Adv.(NP)

UPON hearing counsel the Court made the following
O R D E R

We have heard learned counsel for the parties.

Delay condoned.

Leave granted.

: 2 :

The appeals are disposed of, leaving the parties to bear their own cost, in terms of the signed order.

(G.V.Ramana)
Court Master

(Shashi Bala Vij)
Asstt.Registrar

(signed order is placed on the file)