

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 6488-6489 OF 2012
(arising out of SLP(C)Nos.6400-6401/2010)

BHARAT PETROLEUM CORPORATION LTD.

Appellant(s)

VERSUS

DANGAR AND ANOTHER ETC.

Respondent(s)

WITH

CIVIL APPEAL NO(s). 6490_____OF 2012
(arising out of SLP(C)No.6392/2010)
CIVIL APPEAL NO(s).6492-6496 OF 2012
(arising out of SLP(C)Nos.6099-6103/2010)
CIVIL APPEAL NO(s).6497-6499 OF 2012
(arising out of SLP(C)Nos.7008-7010/2010)
CIVIL APPEAL NO(s).6500-6007_OF 2012
(arising out of SLP(C)Nos.8724-8731/2010)

O R D E R

Heard learned counsel on either side.

Leave granted.

We are informed that the land in question was acquired by invoking Section 17 of the Land Acquisition Act. The Special Land Acquisition Officer, Varanasi had awarded to the claimants an amount at the rate of Rs.96,969.69 per acre, which was enhanced by the Reference Court to Rs.3,50,000/- per acre. We have also been informed that in some cases, the Reference Court had awarded the compensation amount at the rate of Rs.1,40,000/- per acre. There is no uniformity in the fixation of compensation amount by the Reference Court. Learned counsel appearing for the petitioners - Corporation submitted that beneficiaries were not made parties to the Reference Case as well. Learned counsel for the Corporation also brought to our notice the order passed by the High Court in First Appeal No.474 of 1998 on 2.2.2010, wherein in similar matter, High Court had set aside the order of the Reference Court and remanded the matter for fresh consideration.

Under such circumstances, we deem it fit and proper that these matters be remanded to the Reference Court, where all these matters could be heard afresh after giving notice to the beneficiaries. Parties would appear before the Reference Court on 15th October, 2012 at 11.00 A.M. Reference Court is directed to dispose of the matters within three months thereafter.

We make it clear that we are not expressing any opinion on the merits of the case.

The appeals are accordingly allowed.

.....J.
[K.S. RADHAKRISHNAN]

.....J.
[DIPAK MISRA]

NEW DELHI;
SEPTEMBER 12, 2012
ITEM NO.6

COURT NO.12

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).6400-6401/2010

(From the judgement and order dated 01/09/2009 in FA No.239/1994 and FA No.449/1998 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

BHARAT PETROLEUM CORP. LTD AND ORS.

Petitioner(s)

VERSUS

DANGAR AND ANR. ETC.

Respondent(s)

(With appln(s) for stay and prayer for interim relief and office report)

WITH

SLP(C) NO. 6392 of 2010

(With office report)

SLP(C) NO. 6099-6103 of 2010

(With office report)

SLP(C) NO. 7008-7010 of 2010

(With office report)

SLP(C) NO. 8724-8731 of 2010

(With office report)

Date: 12/09/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s) Mr. Altaf Ahmed, Sr.Adv.

Mr. Annam D.N. Rao,Adv.

Ms. Manisha Monga, Adv.

Ms. Neelam Jain, Adv.

Mr. A. Venkatesh, Adv.

For Respondent(s) Mr. Shiva Pujan Singh,Adv.

Ms. Niranjana Singh, Adv.

Mrs. Prema Singh, Adv.

Mr. K.L. Janjani,Adv.

Dr. Vinod Kumar Tewari, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel on either side.

Leave granted.

In terms of signed order, the appeals are allowed.

|(A.D. Sharma)

| |(Renuka Sadana)

|
|Court Master

| |Court Master

(Signed Order is placed on the file)