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SLP(C)No. 3710-3715 OF 2001  
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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal Nos. 6699-6704 of 2001@@  
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(Arising out of SLP(C) Nos. 3710-3715 of 2001)

Mandal Revenue Officer-cum-L.A. Officer ...Appellant (s)

Versus

Yerukala Venkatanna (D) By Lrs. & Ors. ...Respondent(s)

With  
C.A. Nos. 6705-6707/2001@@  
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(Arising out of SLP(C) Nos. 12886-12888/2001)

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Leave granted.

Heard learned counsel for the parties.

8.63 cents of land having been acquired under Section 4(1) of the Land Acquisition Act by notification dated 24.09.1983, the Land Acquisition Officer determined the compensation @ Rs.4,700/- per acre. The claimant on being dis-satisfied, moved for reference under Section 18 of the Act and the Reference Court on the basis of the evidence led before it, came to the conclusion that the claimant has not been able to establish that he is entitled to any higher rate of compensation. Before the Reference Court, the claimant was claiming the compensation @ Rs.1.10 lakh per acre.

On an appeal being filed by the claimant, the High Court relying upon two documents Ext. B3 and B4, determined the compensation at Rs.60,000 per acre. It is this order which is the subject matter of challenge in the first batch of

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appeals at the instance of Mandal Revenue Officer. The claimant also has filed appeals for enhancement of comepnasation.

The two documents on which reliance has been placed are small bits of land measuring 5 cents and 8 cents and, therefore, that could not have formed the basis of determining the market value of the acquired land. The other document B2 is only in relation to 0.02 cent of land. If these two sales cannot form the appropriate basis for determining the compensation, then there is no other evidence on which the Court can come to a conclusion about the market value of the acquired land.

Ordinarily, we would have remitted the matter to the Reference Court for redetermination by affording an opportunity to the claimant to lead evidence in this case. But, having regard to the period for which the litigation has already been persued, we think it appropriate to conclude the



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Leave granted.

While the first batch of appeals are allowed in part,  
the second batch of appeals at the instance of the claimants  
stand dismissed in terms of the signed order. No costs.

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(J.S. Rawat)  
Court Master

(Suneet Bala Sharma)  
Court Master

(Signed order is placed on the file)