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SLP(C)No. 4324 OF 2003  
ITEM No.19

Court No. 6

SECTION XI  
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

Petition(s) for Special Leave to Appeal (Civil) No.4324/2003

(From the judgement and order dated 22/01/2003 in FA 208/95  
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

EXECUTIVE ENGINEER, U.P.POWER CORPN.LTD.

Petitioner (s)

VERSUS

ASHOK KUMAR AGRAWAL & ANR.

Respondent (s)

(With prayer for interim relief and office report)  
( With Appln(s). for exemption from filing O.T. )  
With

SLP(C)No.4354/2003,SLP(C)No.4546/2003,SLP(C)No.4563/2003,SLP(C)No.4729/2003,  
SLP(C)No.4795/2003

Date : 05/12/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL  
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Petitioner (s) Mr. Sunil Kumar Jain,Adv.

For Respondent (s) Ms.Geeta Luthra,Adv.  
Ms.Pinky Anand,Adv.

Mr. D.N. Goburdhan,Adv.

Mr.B.K.Paliwal,Adv.

Mr.Shakil Ahmed Syed,Adv.

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

Leave granted.

The appeals are disposed of with no order as to costs.

(USHA BHARDWAJ) (MADHU SAXENA)  
P.S. TO REGISTRAR COURT MASTER

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO...../2003

(Arising out of S.L.P.(Civil) No.4324 of 2003)

WITH

(CIVIL APPEAL NOS...../2003)

Arising out of SLP(C)Nos.4354,4346,4563,4729 & 4795/03)

Executive Engineer, U.P. Power

...Appellant

Corporation Ltd.

vs.

Ashok Kumar Agrawal & Anr.

...Respondents

O R D E R

Leave granted.

The appeals are disposed of by modifying the interim order passed by the High Court to the following extent:

(1) The respondents will be entitled to unconditionally withdraw the amount calculated on the basis of Award together with the benefits statutorily available to them under the Land Acquisition Act.

(2) As far as the balance amount directed to be deposited by the High Court is concerned and which has been deposited by the appellants pursuant to the order of this Court the respondents will be at liberty to withdraw the same subject to furnishing security to the satisfaction of the High Court.  
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We put on record but do not decide the objection of the respondents that the amount deposited by the appellants pursuant to this Court's order does not in fact amount to 75% of the compensation as directed by the High Court. The High Court is requested to dispose of the writ appeal as expeditiously as is conveniently possible.

There will be no order as to costs.

.....J.

(RUMA PAL)

.....J.  
(DR. AR. LAKSHMANAN)  
New Delhi,  
Dated : 05.12.2003