

ITEM NO.10

Court No.7

SECTION IVA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2009
CC 4987/2009

(From the judgement and order dated 28/08/2008 in MFA No. 2580/2007 of
The HIGH COURT OF KARNATAKA AT BANGALORE)

MANSOOR ALI

Petitioner(s)

VERSUS

SPL.LAND ACQUISITION OFFICER
With I.A.No1. (c/delay in filing SLP)

Respondent(s)

Date: 24/04/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Dr. R.R. Deshpande, Adv.
Mrs. Ujwala R. Deshpande, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

Learned counsel for the petitioner submitted that the Reference Court and the High Court have proceeded on an erroneous assumption that the figure 117 in the certificate issued by the sugar factory referred to the price of sugarcane. He points out that the certificate issued by the sugar factory in regard to supply of sugarcane during the relevant period shows Rs236/- per metric ton and the price figure of 117 refers to the quantity of sugarcane grown and delivered to the sugar factory. He states that this requires correction.

If the correction has to be made, the correction will have to be with reference to the others entries in the certificate which also shows that

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yield from the petitioner's land (7 acres 15 guntas) is 117 MT which is far less than the yield of 35 MT assumed by the Reference Court. Learned counsel for petitioner stated that the entire area may not be under sugarcane cultivation. This means that the matter may have gone back for additional evidence.

On the submissions made, issue notice.

(Pawan Kumar)
Court Master

(M.S. Negi)
Court Master