

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1281 OF 2006

The Singareni Collieries Company Ltd.

... Appellant

versus

Janagoan Prameelabai and others

... Respondents

WITH

CIVIL APPEAL NO. 1282 OF 2006

CIVIL APPEAL NO. 1283 OF 2006

CIVIL APPEAL NO. 1284 OF 2006

CIVIL APPEAL NO. 1285 OF 2006

CIVIL APPEAL NO. 1286 OF 2006

CIVIL APPEAL NO. 1287 OF 2006

ORDER

G. S. Singhvi, J.

I.A.Nos.3-4 of 2011 in Civil Appeal No.1281/2006

The appellants have filed I.A.No.3/2011 for setting aside the abatement of the appeal and for bringing on record the legal representatives of respondent Nos.1, 10, 12, 13, 18, 26, 34, 40, 49, 60 and 23(i). They have

also filed I.A.No.4/2011 for condonation of delay in filing I.A.No.3/2011.

We have heard learned counsel for the parties and are satisfied with the explanation given by the appellant for delayed filing of I.A.No.3/2011. Accordingly, I.A. No. 4 of 2011 is allowed and the delay in filing I.A.No.3/2011 is condoned.

I.A.No.3/2011 is allowed and the legal representatives of respondent Nos.1, 10, 12, 13, 18, 26, 34, 40, 49,60 and 23(i) are allowed to be brought on record.

Civil Appeal No.1281/2006

This appeal is directed against the judgment of the Division Bench

of the Andhra Pradesh High Court whereby the determination made by Senior Civil Judge, Peddapalli, Karim Nagar of the amount of compensation payable to the respondents in lieu of the acquisition of their land was upheld but the award of Rs.10,000/- per acre towards sub-soil mineral rights was set aside.

During the pendency of the appeal, the parties have compromised the matter. A copy of memo of settlement signed by the General Manager and the Deputy General Manager of appellant No.1 and the advocate representing the respondents has been placed on record. The terms of the settlement are as under:

"1. The market value be enhanced to Rs.69,000/- per Acre.

2. The Claimants are entitled to all statutory benefits under the provisions of Land Acquisition Act.

3. Both the parties namely the pattadars/Respondents and the Appellant Company agree this Compromise Memo is in a full and final settlement of all the claims and counter claims in Civil Appeals No.1281/2006 and 1287/2006 and the Parties will not raise any dispute in the above cases.

5. Both the parties agree to file this memo of settlement before the Honourable Supreme Court in Civil Appeal No. 1281 of 2006 and 1287 of 2006 arising out of L.A.A.S.No.2532 of 2002 and Cross Objections SR No.57584/2002 in the High Court of Andhra Pradesh and O.P.No.26 of 1994 in the Court of the Senior Civil Judge, Peddapalli, Karimnagar District, Andhra Pradesh in full and final settlement of all claims and counter claims in this case and request the Hon'ble Supreme Court to pass judgment and decree in terms of this settlement.

6. On Receipt of Certified Copy of the orders from the Hon'ble Supreme Court, the Appellant Company will deposit the enhanced compensation into the Reference Court as expeditiously as possible."

(Serial numbers have been given as per the document filed by the parties.)

The settlement agreement is taken on record. The same shall be treated as part of this order.

In view of the above development, the appeal is disposed of with the direction that the enhanced amount payable to the land owners and / or their legal representatives shall be paid by following the mechanism incorporated in order dated 2.8.2010 passed by this Court in Civil Appeal No.5710/2005 Singareni Collieries Co. Ltd. v. Kandula Ramaiah and others and connected matters.

Civil Appeal No.1282/2006

This appeal is directed against the judgment of the Division Bench

of the Andhra Pradesh High Court whereby the determination made by

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Senior Civil Judge, Peddapalli, Karim Nagar of the amount of compensation payable to the respondents in lieu of the acquisition of their land was upheld but the award of Rs.10,000/- per acre towards sub-soil mineral rights was set aside.

During the pendency of the appeal, the parties have compromised the matter. A copy of memo of settlement signed by the General Manager and the Deputy General Manager of appellant No.1 and the advocate representing the respondents has been placed on record. The terms of settlement are as under:

"1. The market value be enhanced to Rs.90,000/- per Acre.

2. The Claimants are entitled to all statutory benefits under the provisions of Land Acquisition Act.

3. Both the parties namely the pattadars/Respondents and the Appellant Company agree this Compromise Memo is in a full and final settlement of all the claims and counter claims in Civil Appeals No.1282/2006 and 1287/2006 and the Parties will not raise any dispute in the above cases.

5. Both the parties agree to file this memo of settlement before the Honourable Supreme Court in Civil Appeal No. 1282 of 2006 and 1287 of 2006 arising out of L.A.A.S.No.700 of 2002 and Cross Objections SR No.54629/2002 in the High Court of Andhra Pradesh and O.P.No.75 of 1995 in the Court of the Senior Civil Judge, Peddapalli, Karimnagar District, Andhra Pradesh in full and final settlement of all claims and counter claims in this case and request the Hon'ble Supreme Court to pass judgment and decree in terms of this settlement.

6. On Receipt of Certified Copy of the orders from the Hon'ble Supreme Court, the Appellant Company will deposit the enhanced compensation into the Reference Court as expeditiously as possible."

(Serial numbers have been given as per the document filed by

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the parties.)

The settlement agreement is taken on record. The same shall be treated as part of this order.

In view of the above development, the appeal is disposed of with the direction that the enhanced amount payable to the land owners and / or their legal representatives shall be paid by following the mechanism incorporated in order dated 2.8.2010 passed by this Court in Civil Appeal No.5710/2005 Singareni Collieries Co. Ltd. v. Kandula Ramaiah and others and connected matters.

The appellants have filed I.A.No.2/2011 for setting aside the abatement of the appeal and for bringing on record the legal representatives of respondent Nos.2, 6 and 7. They have also filed I.A.No.3/2011 for condonation of delay in filing I.A.No.2/2011.

We have heard learned counsel for the parties and are satisfied with the explanation given by the appellant for delayed filing of I.A.No.2/2011. Accordingly, I.A. No. 3/2011 is allowed and the delay in filing I.A.No.2/2011 is condoned.

I.A.No.2/2011 is allowed and the legal representatives of respondent Nos.2, 6 and 7 are allowed to be brought on record.

Civil Appeal No.1283/2006

This appeal is directed against the judgment of the Division Bench

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of the Andhra Pradesh High Court whereby the determination made by Senior Civil Judge, Peddapalli, Karim Nagar of the amount of compensation payable to the respondents in lieu of the acquisition of their land was upheld but the award of Rs.10,000/- per acre towards sub-soil mineral rights was set aside.

During the pendency of the appeal, the parties have compromised the matter. A copy of memo of settlement signed by the General Manager and the Deputy General Manager of appellant No.1 and the advocate representing the respondents has been placed on record. The terms of settlement are as under:

"1. The market value be enhanced to Rs.82,000/- per Acre.

2. The Claimants are entitled to all statutory benefits under the provisions of Land Acquisition Act.

3. Both the parties namely the pattadars/Respondents and the Appellant Company agree this Compromise Memo is in a full and final settlement of all the claims and counter claims in Civil Appeals No.1283/2006 and 1287/2006 and the Parties will not raise any dispute in the above cases.

5. Both the parties agree to file this memo of settlement before the Honourable Supreme Court in Civil Appeal No. 1283 of 2006 and 1287 of 2006 arising out of L.A.A.S.No.1273 of 2002 and Cross Objections SR No.54629/2002 in the High Court of Andhra Pradesh and O.P.No.76 of 1995 in the Court of the Senior Civil Judge, Peddapalli, Karimnagar District, Andhra Pradesh in full and final settlement of all claims and counter claims in this case and request the Hon'ble Supreme

Court to pass judgment and decree in terms of this settlement.

6. On Receipt of Certified Copy of the orders from the Hon'ble Supreme Court, the Appellant Company will deposit the

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enhanced compensation into the Reference Court as expeditiously as possible." (Serial numbers have been given as per the document filed by the parties.)

The settlement agreement is taken on record. The same shall be treated as part of this order.

In view of the above development, the appeal is disposed of with the direction that the enhanced amount payable to the land owners and / or their legal representatives shall be paid by following the mechanism incorporated in order dated 2.8.2010 passed by this Court in Civil Appeal No.5710/2005 Singareni Collieries Co. Ltd. v. Kandula Ramaiah and others and connected matters.

I.A.Nos.2-3 of 2011 in Civil Appeal No.1284/2006

The appellants have filed I.A.No.2/2011 for setting aside the abatement of the appeal and for bringing on record the legal representatives of respondent Nos.6 and 7. They have also filed I.A.No.3/2011 for condonation of delay in filing I.A.No.2/2011.

We have heard learned counsel for the parties and are satisfied with the explanation given by the appellant for delayed filing of I.A.No.2/2011. Accordingly, I.A. No. 3/2011 is allowed and the delay in filing I.A.No.2/2011 is condoned.

I.A.No.2/2011 is allowed and the legal representatives of respondent Nos.6 and 7 are allowed to be brought on record.

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Civil Appeal No.1284/2006

This appeal is directed against the judgment of the Division Bench of the Andhra Pradesh High Court whereby the determination made by Senior Civil Judge, Peddapalli, Karim Nagar of the amount of compensation payable to the respondents in lieu of the acquisition of their land was upheld but the award of Rs.10,000/- per acre towards sub-soil mineral rights was set aside.

During the pendency of the appeal, the parties have compromised

the matter. A copy of memo of settlement signed by the General Manager and the Deputy General Manager of appellant No.1 and the advocate representing the respondents has been placed on record. The terms of settlement are as under:

- "1. The market value be enhanced to Rs.69,000/- per Acre.
2. The Claimants are entitled to all statutory benefits under the provisions of Land Acquisition Act.
3. Both the parties namely the pattadars/Respondents and the Appellant Company agree this Compromise Memo is in a full and final settlement of all the claims and counter claims in Civil Appeals No.1284/2006 and 1287/2006 and the Parties will not raise any dispute in the above cases.
5. Both the parties agree to file this memo of settlement before the Honourable Supreme Court in Civil Appeal No. 1284 of 2006 and 1287 of 2006 arising out of L.A.A.S.No.2756 of 2001 and Cross Objections SR No.55296/2002 in the High Court of Andhra Pradesh and O.P.No.24 of 1994 in the Court of the Senior Civil Judge, Peddapalli, Karimnagar District, Andhra Pradesh in full and final settlement of all claims and counter claims in this case and request the Hon'ble Supreme Court to pass judgment and decree in terms of this settlement.
6. On Receipt of Certified Copy of the orders from the Hon'ble Supreme Court, the Appellant Company will deposit the enhanced compensation into the Reference Court as expeditiously as possible."  
(Serial numbers have been given as per the document filed by the parties.)

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The settlement agreement is taken on record. The same shall be treated as part of this order.

In view of the above development, the appeal is disposed of with the direction that the enhanced amount payable to the land owners and / or their legal representatives shall be paid by following the mechanism incorporated in order dated 2.8.2010 passed by this Court in Civil Appeal No.5710/2005 Singareni Collieries Co. Ltd. v. Kandula Ramaiah and others and connected matters.

I.A.Nos.2-3 of 2011 in Civil Appeal No.1285/2006

The appellants have filed I.A.No.2/2011 for setting aside the abatement of the appeal and for bringing on record the legal representatives of respondent Nos.5, 13 and 22. They have also filed I.A.No.3/2011 for condonation of delay in filing I.A.No.2/2011.

We have heard learned counsel for the parties and are satisfied

with the explanation given by the appellant for delayed filing of I.A.No.2/2011. Accordingly, I.A. No. 3/2011 is allowed and the delay in filing I.A.No.2/2011 is condoned.

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I.A.No.2/2011 is allowed and the legal representatives of respondent Nos.5, 13 and 22 are allowed to be brought on record.

Civil Appeal No.1285/2006

This appeal is directed against the judgment of the Division Bench of the Andhra Pradesh High Court whereby the determination made by Senior Civil Judge, Peddapalli, Karim Nagar of the amount of compensation payable to the respondents in lieu of the acquisition of their land was upheld but the award of Rs.10,000/- per acre towards sub-soil mineral rights was set aside.

During the pendency of the appeal, the parties have compromised the matter. A copy of memo of settlement signed by the General Manager and the Deputy General Manager of appellant No.1 and the advocate representing the respondents has been placed on record. The terms of settlement are as under:

"1. The market value be enhanced to Rs.69,000/- per Acre.

2. The Claimants are entitled to all statutory benefits under the provisions of Land Acquisition Act.

3. Both the parties namely the pattadars/Respondents and the Appellant Company agree this Compromise Memo is in a full and final settlement of all the claims and counter claims in Civil Appeals No.1285/2006 and 1287/2006 and the Parties will not raise any dispute in the above cases.

5. Both the parties agree to file this memo of settlement before the Honourable Supreme Court in Civil Appeal No. 1285 of 2006 and 1287 of 2006 arising out of L.A.A.S.No.2576 of 2001 and Cross Objections SR No.55296/2002 in the High Court of Andhra Pradesh and O.P.No.25 of 1994 in the Court

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of the Senior Civil Judge, Peddapalli, Karimnagar District, Andhra Pradesh in full and final settlement of all claims and counter claims in this case and request the Hon'ble Supreme Court to pass judgment and decree in terms of this settlement.

6. On Receipt of Certified Copy of the orders from the Hon'ble Supreme Court, the Appellant Company will deposit the enhanced compensation into the Reference Court as expeditiously as possible."

(Serial numbers have been given as per the document filed by the parties.)

The settlement agreement is taken on record. The same shall be

treated as part of this order.

In view of the above development, the appeal is disposed of with the direction that the enhanced amount payable to the land owners and / or their legal representatives shall be paid by following the mechanism incorporated in order dated 2.8.2010 passed by this Court in Civil Appeal No.5710/2005 Singareni Collieries Co. Ltd. v. Kandula Ramaiah and others and connected matters.

I.A.Nos.3-4 of 2011 in Civil Appeal No.1286/2006

The appellants have filed I.A.No.3/2011 for setting aside the abatement of the appeal and for bringing on record the legal representatives of respondent Nos.13, 15(1), and 30. They have also filed I.A.No.4/2011 for condonation of delay in filing I.A.No.3/2011.

We have heard learned counsel for the parties and are satisfied with the explanation given by the appellant for delayed filing of I.A.No.3/2011. Accordingly, I.A. No. 4 of 2011 is allowed and the delay in filing I.A.No.3/2011 is condoned.

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I.A.No.3/2011 is allowed and the legal representatives of respondent Nos.13, 15(1) and 30 are allowed to be brought on record.

Civil Appeal No.1286/2006

This appeal is directed against the judgment of the Division Bench of the Andhra Pradesh High Court whereby the determination made by Senior Civil Judge, Peddapalli, Karim Nagar of the amount of compensation payable to the respondents in lieu of the acquisition of their land was upheld but the award of Rs.10,000/- per acre towards sub-soil mineral rights was set aside.

During the pendency of the appeal, the parties have compromised the matter. A copy of memo of settlement signed by the General Manager and the Deputy General Manager of appellant No.1 and the advocate representing the respondents has been placed on record. The terms of settlement are as under:

- "1. The market value be enhanced to Rs.69,000/- per Acre.
2. The Claimants are entitled to all statutory benefits under the provisions of Land Acquisition Act.

3. Both the parties namely the pattadars/Respondents and the Appellant Company agree this Compromise Memo is in a full and final settlement of all the claims and counter claims in Civil Appeals No.1286/2006 and 1287/2006 and the Parties will not raise any dispute in the above cases.

5. Both the parties agree to file this memo of settlement before the Honourable Supreme Court in Civil Appeal No. 1286 of 2006 and 1287 of 2006 arising out of

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L.A.A.S.No.2489 of 2001 and Cross Objections SR No.555294/2002 in the High Court of Andhra Pradesh and O.P.No.22 of 1994 in the Court of the Senior Civil Judge, Peddapalli, Karimnagar District, Andhra Pradesh in full and final settlement of all claims and counter claims in this case and request the Hon'ble Supreme Court to pass judgment and decree in terms of this settlement.

6. On Receipt of Certified Copy of the orders from the Hon'ble Supreme Court, the Appellant Company will deposit the enhanced compensation into the Reference Court as expeditiously as possible."  
(Serial numbers have been given as per the document filed by the parties.)

The settlement agreement is taken on record. The same shall be treated as part of this order.

In view of the above development, the appeal is disposed of with the direction that the enhanced amount payable to the land owners and / or their legal representatives shall be paid by following the mechanism incorporated in order dated 2.8.2010 passed by this Court in Civil Appeal No.5710/2005 Singareni Collieries Co. Ltd. v. Kandula Ramaiah and others and connected matters.

I.A. Nos. 16-25 of 2011 in Civil Appeal No.1287/2006

All the interlocutory applications are allowed in terms of the prayer made.

Civil Appeal No. 1287/2006

The appellants whose land was acquired for the benefit of respondent No.1 have filed this appeal questioning the judgment of the

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Division Bench of the Andhra Pradesh High Court whereby the appeals filed by respondent No. 1 against the award passed by Civil Judge (Senior Division), Peddapalli, Karim Nagar were dismissed except to the extent of direction given for payment of Rs.10,000/- in lieu of sub-soil mineral rights and simultaneously the cross-objections filed by the appellants were dismissed.

During the pendency of the appeal, the parties have compromised the matter. A copy of memo of settlement signed by the General Manager and the Deputy General Manager of appellant No.1 and the advocate representing the respondents has been placed on record. The terms of settlement are as under:

"1. The market value be enhanced to Rs.90,000/- per Acre.

2. The Claimants are entitled to all statutory benefits under the provisions of Land Acquisition Act.

3. Both the parties namely the pattadars/Respondents and the Appellant Company agree this Compromise Memo is in a full and final settlement of all the claims and counter claims in Civil Appeals No.1282/2006 and 1287/2006 and the Parties will not raise any dispute in the above cases.

5. Both the parties agree to file this memo of settlement before the Honourable Supreme Court in Civil Appeal No. 1282 of 2006 and 1287 of 2006 arising out of L.A.A.S.No.700 of 2002 and Cross Objections SR No.54629/2002 in the High Court of Andhra Pradesh and O.P.No.75 of 1995 in the Court of the Senior Civil Judge, Peddapalli, Karimnagar District, Andhra Pradesh in full and final settlement of all claims and counter claims in this case and request the Hon'ble Supreme Court to pass judgment and decree in terms of this settlement.

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6. On Receipt of Certified Copy of the orders from the Hon'ble Supreme Court, the Appellant Company will deposit the enhanced compensation into the Reference Court as expeditiously as possible."  
(Serial numbers have been given as per the document filed by the parties.)

The settlement agreement is taken on record. The same shall be treated as part of this order.

In view of the above development, the appeal is disposed of with the direction that the enhanced amount payable to the land owners and / or their legal representatives shall be paid by following the mechanism incorporated in order dated 2.8.2010 passed by this Court in Civil Appeal No.5710/2005 Singareni Collieries Co. Ltd. v. Kandula Ramaiah and others and connected matters.

.J.

.....  
[G.S. SINGHVI]

.J.

.....  
[RANJANA PRAKASH DESAI]

Date: 02.04.2012  
New Delhi.

ITEM NO.301

COURT NO.6

SECTION XIIA

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

CIVIL APPEAL NO(s). 1281 OF 2006

SINGARENI COLLIERIES CO. LTD.

Appellant (s)

VERSUS

JANAGOAN PRAMEELABAI & ORS.

Respondent(s)

(With appln(s) for substitution,c/delay in filing substitution  
appln. and office report )

WITH Civil Appeal NO. 1282 of 2006(With office report)

Civil Appeal NO. 1283 of 2006(With office report)

Civil Appeal NO. 1284 of 2006(With office report)

Civil Appeal NO. 1285 of 2006(With office report)

Civil Appeal NO. 1286 of 2006(With office report)

Civil Appeal NO. 1287 of 2006(With office report)

Date: 02/04/2012 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Appellant(s) Mr. Altaf Ahmad, Sr. Adv.  
Mr. P. Parmeswaran,Adv.

Mr. John Mathew, AOR

For Respondent(s) Mr. V.Giri, Sr. Adv.  
Mr. Sridhar Potaraju ,Adv

Ms. C.K. Sucharita, Adv.

Mr. P. Parmeswaran, Adv.

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

I.A. Nos.3 and 4 of 2011 in Civil Appeal No. 1281 of  
2006 are allowed and the delay in filing I.A. No.3/2011 is  
condoned.

I.A. Nos. 2 and 3 of 2011 in Civil Appeal No.1283-  
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1285 of 2006 are allowed and the delay in filing I.A.  
No.2/2011 in Civil Appeal Nos. 1283-1285 of 2006 is  
condoned.

I.A. Nos.3-4 of 2011 in Civil Appeal No.1286 of 2006  
are allowed and the delay in filing I.A. No.3 of 2011 is  
condoned.

I.A. Nos.16-25 of 2011 in Civil Appeal No.1287 of  
2006 are allowed in terms of the prayer made.

The appeals are disposed of with the direction that  
the enhanced amount payable to the land owners and/or their

legal representatives shall be paid by following the mechanism incorporated in order dated 2.8.2010 passed by this Court in Civil Appeal No. 5710/2005 Singareni Collieries Co. Ltd. v. Kandula Ramaiah and others and connected matters.

(Parveen Kr.Chawla)  
Court Master

(Phoolan Wati Arora)  
Court Master

[signed order is placed on the file]