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C.A.No. 3198 OF 1999
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ITEM No.108 Court No.9 SECTION-XIV

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

CIVIL APPEAL NO.3198 OF 1999@@
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Ganga Charan & Anr. Appellant (s)

VERSUS

Union of India Respondent (s)

(with appln. for c/delay in filing SLP and with office report)

Date : 01-10-2002 This/These matter(s) was/were called
on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL

For Appellant (s) Mr. Punit Dutt Tyagi, Adv.

For Respondent (s)

Upon hearing counsel the Court made the following
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.SP2

Delay in filing special leave petition is condoned.
The appeal is disposed of in terms of the signed
order.

.SP1

(Neena Verma)
Court Master

(K.K. Chadha)
Court Master

Signed order is placed on the file.

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L.....T.....T.....T.....T.....T.....T.....T.....T.....R
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3198 OF 1999@@
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Ganga Charan & Anr.

.... Appellants

Versus

Union of India

.... Respondent

O R D E R@@
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.....L.....I.....T.....T.....T.....T.....T.....T.....J
.SP2

In the above appeal, inspite of the notice having been served, the respondent - Union of India does not appear to have entered appearance.

Heard the learned counsel for the appellants.

It is claimed for the appellants that the questions raised in this case is covered by the judgment rendered by the Constitution Bench in the case of Sunder Vs. Union of@@

India, reported in 2001 (7) SCC 211, wherein it has been@@
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held that the claimant is entitled to interest also on the other sums payable under sub-section (1-A) and (2) of Section 23 of the Land Acquisition Act, 1894, as amended. We find on going through the judgment rendered by the Constitution Bench that the claim is well merited and require to be sustained.

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Having regard to the above decision, the judgment under challenge is modified only to the extent noted above. It is made clear that if in any case, in the appeals filed by the Union of India, challenging the very quantum of compensation awarded under the impugned judgment is altered/modified then the amount to be paid towards interest to the appellant in the case also shall be proportionately reduced in accordance with the said judgment.

The appeal is disposed of on the above terms. There shall be no order as to costs.

.SP1

.....J.
(DORAISWAMY RAJU)

.....J.
(SHIVARAJ V. PATIL)

New Delhi,
October 01, 2002.