

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.633 OF 2008

MANAGING DIRECTOR, GOA-IDC ..APPELLANT (S)

VERSUS

SADASHIV S.N. SARDESSAI & ORS. ..RESPONDENT (S)

WITH

CIVIL APPEAL NO.1189 OF 2008

SADASHIV S.N. SARDESSAI & ANR. ..APPELLANT (S)

VERSUS

THE MANAGING DIRECTOR, GOA-IDC ..RESPONDENT (S)

O R D E R

1. These appeals are directed against the judgment and order passed by the High Court of Bombay at Goa in First Appeal No.150 of 2003, dated 15.09.2004.

2. A notification under Section 4 of the Land Acquisition Act, 1894 (for short "the Act") was

issued by acquiring authority on 18.03.1998 to acquire lands in villages Xelpem and Cotarlim, Taluka Sanguem, for the purpose of creating an Industrial Estate. Subsequently, the Land Acquisition Officer, by award dated 14.08.2001, declared the value of the said land as Rs.7/- per sq.m. Aggrieved by the same, the respondents filed an application for reference under Section 18 of the Act.

3. The Reference Court, by its judgment and order dated 28.02.2003, partly allowed the reference and held the market value of the acquired land to be Rs.21.06/- per sq.m. The Court further awarded statutory interest as well as solatium amounting to 30% of the value of the land.

4. Aggrieved by the same, the acquiring authority (appellant in Civil Appeal No.633 of 2008 and respondent No.1 in Civil Appeal No.1189 of 2008) approached the High Court in First Appeal No.150 of 2003 whereas the landowners/ claimants (respondent

Nos.1 and 2 in Civil Appeal No.633 of 2008 and appellants in Civil Appeal No.1189 of 2008) also filed a cross-objection.

5. By its impugned judgment and order, the High Court partly allowed both the appeal and the cross-objection. The Court deducted 30% from the land acquired and awarded compensation at the rate of Rs.23.40/- per sq.m. on the remaining area of 56,210 sq.m.

6. Being aggrieved by the judgment and order passed by the High Court, both the acquiring authority and the landowners/claimants are before us in these cross-appeals, by way of special leave.

7. We have heard learned counsel appearing for parties to the *lis* and carefully perused the material available on record in all these appeals.

8. After carefully going through the records of the cases and the impugned judgment and order passed

by the High Court, it is our considered opinion that no good ground exists in these appeals for our consideration and interference. The appeals, being devoid of any merit, are liable to be dismissed and, are accordingly dismissed.

Ordered accordingly.

.....CJI.
(H.L. DATTU)

.....J.
(ARUN MISHRA)

NEW DELHI,
NOVEMBER 04, 2015.

ITEM NO.25

COURT NO.1

SECTION IX

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(s). 633/2008

MANAGING DIRECTOR, GOA-IDC

Appellant(s)

VERSUS

SADASHIV S.N. SARDESSAI & ORS.

Respondent(s)

(with appln.(s) for vacating stay and office report)

WITH

C.A. No. 1189/2008
(With Office Report)

Date : 04/11/2015 These appeals were called
on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN MISHRA

For Appellant(s) Mr. Arun R. Pedneker, Adv.
For Mr. V. N. Raghupathy, Adv.

Mr. Jitendra Mahapatra, Adv.
Mr. Amit Singh, Adv.
For Mr. Chander Shekhar Ashri, Adv.

For Respondent(s) Mr. Jitendra Mahapatra, Adv.
Mr. Amit Singh, Adv.
For Mr. Chander Shekhar Ashri, Adv.

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

The appeals are dismissed in terms of
the signed order.

As a sequel to the above, all pending interlocutory application(s) is/are disposed of.

(Neetu Khajuria)
Sr.P.A.

(Vinod Kulvi)
Assistant Registrar

(Signed order is placed on the file.)