

Listed on: 14.09.2015

Court No. 2

Item No. 30

SECTION XI-A
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) No. 11496 OF 2012 .

Radhakumari Amma & Ors.

...Petitioners

Versus

The Travancore Deveswom Board

...Respondent

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 27th January, 2015, when the Court was pleased to pass the following orders.

“This special leave petition arises out of an order passed by the High Court in Civil Second Appeal No. 358 of 1995 whereby the High Court has while modifying the decree for possession passed by the courts below directed that the plaintiff-petitioner herein shall in lieu be entitled to a sum of Rs. 5,00,000/- as compensation from the defendant.

When the matter came up before us on 30.03.2012, Mr. V.Giri, learned senior counsel for the petitioner submitted that the petitioners were not keen on demolition of the structure raised by the respondent over the disputed parcel of land provided they are suitably compensated in terms of money depending upon the market value of the encroached extent of land. On 06.05.2014 when the matter appeared again before us, the parties took time to take instructions whether fairness of the amount which the High Court had determined at Rs.5,00,000/- could be referred to Hon'ble Mr. Justice K.T.Thomas, Former Judge of this Court. Learned counsel for the parties today submit on instructions that the parties are indeed ready and willing to have that limited question referred to mediation by Justice Thomas. We accordingly refer the parties to Justice Thomas with a request that he may explore the possibility of a settlement by mediation by determining a suitable amount towards

compensation payable to the petitioners for the disputed extent of land occupied by the respondent. Learned counsel for the petitioner agree to deposit Rs. 50,000/- towards their share of mediation fee while an equivalent amount shall be deposited by the respondent before Justice Thomas, We request Justice Thomas to spare some time out of his Lordship's busy schedule and submit a report to this Court as expeditiously as possible as to the outcome of the mediation proceedings.

Post after the report is received.”

It is submitted for the information of the Hon'ble Court that in pursuance of the order quoted above, a certified copy of the order passed in the above mentioned matter alongwith a complete set of SLP paper book was sent to Hon'ble Mr. Justice K. T. Thomas to explore the possibility of an amicable settlement by mediation.

It is further submitted that a mediation report dated 21.07.2015 has been received from Hon'ble Mr. Justice K. T. Thomas stating therein that disputes have been settled amicably (Copy of the same has been included in the SLP's paper-books for the kind perusal of the Hon'ble Court).

Service of show cause notice is complete.

The matter above mentioned is listed before the Hon'ble Court with this office report.

Dated this the 10th day of September, 2015.

Sd/-
ASSISTANT REGISTRAR