

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 4570 OF 2006

GURPREET SINGH

Appellant (s)

VERSUS

UNION OF INDIA

Respondent(s)

(With office report)

WITH Civil Appeal NO. 4547 of 2006

(With office report)

Civil Appeal NO. 4548 of 2006

(With office report)

Civil Appeal NO. 4549 of 2006

(With office report)

Date: 08/08/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Appellant(s) Mr. P.S.Narasimha,Adv.

Mr. Sridhar Poturaju,Adv.

Mr. D.Julius Riamei,Adv.

Mr. John Mathew,Adv.

M/S. P.S.N. & Co.,Adv.

Mr. S.M.Sarin,Adv.

Mr. P.N. Puri,Adv.

For Respondent(s)

Mr. A.Sharan,ASG.

Mr. Mohd. Yusuf,Sr.Adv.

Mr. SWA Qadri,Adv.

Mr. R.C.Kathia,Adv.

Mr. D.S.Mehra,Adv.

Ms. Sushma Suri,Adv.

UPON hearing counsel the Court made the following
ORDER

The Civil Appeals are disposed of.

(Suman Wadhwa)

(Madhu Saxena)

Court Master

Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4570 OF 2006

GURPREET SINGH

.. APPELLANT

vs.

UNION OF INDIA

.. RESPONDENT

CIVIL APPEAL NOS. 4547 TO 4549 OF 2006

ORDER

Two questions arise for determination in this case. The first question concerns the point regarding appropriation of the amount deposited by the State at different award stages under the Land Acquisition Act. This question has been answered by the Constitution of this Court in the same case of Gurpreet Singh vs. Union of India reported in 2006 (8) SCC 457.

In view of the Constitution Bench judgment of this Court we set aside the impugned judgment of the High Court on the question of appropriation. The matter on this particular point has to be remitted to the Executing Court which shall decide the question of appropriation in accordance with the judgment of the Constitution Bench referred to above.

On the second question of interest on solatium also the matter is covered by the judgment of this Court in the case of Sunder vs. Union of India reported in 2001 (7) SCC 211. On this point also the impugned judgment of the High Court is set aside. The Executing Court will decide this particular question in accordance with the judgment of this Court in Sunder (supra)

The Civil Appeals are accordingly disposed of.

.....J.
(S.H. KAPADIA)

New Delhi;
August 8, 2007.J.
(B.SUDERSHAN REDDY)