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SLP(C)No. 13665 OF 2001

ITEM No.203

Court No. 5

SECTION XIIA
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Civil) No.13665/2001

(From the judgement and order dated 22/12/2000 in WA 1242/00
of The HIGH COURT OF A.P AT HYDERABAD)

DISTRICT COLLECTOR, A.P. & ORS.

Petitioner (s)

VERSUS

T. PRABHAKAR RAO & ORS.

Respondent (s)

(With Appln(s). for stay of contempt proceedings and with prayer
for interim relief) (For Final Disposal)

Date : 09/08/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI
HON'BLE MR. JUSTICE S.N. VARIAVA

For Petitioner (s)

Mr. Guntur Prabhakar, Adv.

For Respondent (s)

Mr. P.S.Narasimha, Adv.
Mr. P. Sridhar, Adv.
Mr. Ananga Bhattacharya, Adv.
for M/s. P.S.N. & Co., Adv.

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

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The point raised in this S.L.P. relates to payment
of compensation to the respondents for the lands, which are
said to be 28 acres, in Survey Nos.325, 326 and 327 of
Kalvacherla village, Kamanpur Mandal, Karimnagar District,
which are sub-merged under the tank water.

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The respondents (writpetitioners) submit that because
of the submersion of their lands, they are unable to cultivate
the same and that, therefore, they are entitled to
compensation.

It is brought to our notice by Mr.Prabhakar Rao that
the respondents claimed exclusion of the said lands in the
agricultural ceiling proceedings and, accordingly, the lands
were excluded on the ground that they were submerged under the
water of the tank.

In view of this position, we direct the Land Reforms Tribunal, Karimnagar to compute the lands in the holding of the respondents and report to this Court whether the holding of the respondents would be in excess of ceiling area. After hearing both the parties, the Tribunal shall submit its report to this Court within three months from the date of receipt of this order.

List the case after four months.

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(N. Annapurna)
Court Master

(Kanwal Singh)
Court Master