

ITEM NO.8 Court 3 (Video Conferencing) SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 15849/2021

(Arising out of impugned final judgment and order dated 22-01-2021 in WC No. 1390/2021 passed by the High Court Of Judicature At Allahabad)

JAMIL AHAMAD FARUQUI & ORS. Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS. Respondent(s)

(FOR ADMISSION and I.R. and IA No.128267/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.128268/2021-EXEMPTION FROM FILING O.T.)

Date : 12-11-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s)

Mr. Tripurari Ray, Adv.
Mr. Balwant Singh Billowria, Adv.
Mr. Suresh Kumar Sharma, Adv.
Mr. Nithyananda Murthy P, Adv.
Ms. Bhanuprabha, Adv.
Mr. Vivekanand Singh, Adv.
Mr. Anirudh Ray, Adv.
Ms. Shilpa Singh, AOR

For Respondent(s)

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

Learned counsel for the petitioners was at pains to persuade us that the judgment of the Constitution Bench in the *Indore Development Authority vs. Manoharlal*

& Ors. reported in (2020) 8 SCC 129 requires reconsideration.

According to the petitioners, Constitution Bench has not appropriately dealt with the efficacy of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for Short, "2013 Act"). We are not impressed by this submission.

The Constitution Bench has dealt with all aspects of the matter and we do not find any basis to countenance the argument that the judgment requires reconsideration.

Realizing this position, learned counsel for the petitioners submits that the petitioners, in fact, ought to succeed on the basis of interpretation of proviso to Section 24(2) of the 2013 Act.

It appears from the impugned judgment that this aspect has not been argued by the petitioners before the High Court.

If this is the limited grievance of the petitioners, it is open to the petitioners to pursue such remedy as may be permissible in law, including to file review petition before the High Court.

This special leave petition is disposed of accordingly.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)