

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5025 OF 2009

KARNATAKA POWER TRANSMISSION CORPORATION LTD. ... APPELLANT (s)

Versus

RAJAMMA & ANOTHER ... RESPONDENT (s)

WITH

CIVIL APPEAL NO. 5026 OF 2009

RAJAMMA ... APPELLANT (s)

Versus

ASSISTANT COMMISSIONER AND LAND ACQUISITION OFFICER AND ANOTHER ... RESPONDENT (s)

O R D E R

CIVIL APPEAL NO. 5025 OF 2009:

We have heard Mr. M. Gireesh Kumar, learned counsel for the appellant.

Civil Appeal is dismissed. No costs.

CIVIL APPEAL NO.5026 OF 2009:

We have heard Mr. S.K. Mahale, learned counsel for the appellant and Mr. M. Gireesh Kumar, learned counsel for the respondents.

2. In the impugned order, the High Court has held

that 50% of the area of the subject land is required to be set-up for road and civil amenities.

3. Having regard to this, we are satisfied that 60% of the cut by the High Court is on higher side. We reduce it to 50%. After reducing 50% cut, the market rate which has been worked out by the High Court as Rs. 10,89,900/- per acre comes to Rs. 5,44,450/- per acre.

4. We modify the order of the High Court accordingly. On the enhanced amount as per the High Court's order, the appellant shall be entitled to proportionate interest and solatium and other statutory benefits.

5. Civil Appeal is allowed as above with no order as to costs.

.....CJI.  
(R.M. LODHA)

.....J.  
(KURIAN JOSEPH)

NEW DELHI;  
SEPTEMBER 25, 2014

.....J.  
(ROHINTON FALI NARIMAN)

ITEM NO.110

COURT NO.1

SECTION IVA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
Civil Appeal No(s). 5025/2009

KARNATAKA POWER TRANSMISSION CORPN.LTD.

Appellant(s)

VERSUS

RAJAMMA & ANR.

Respondent(s)

(with interim relief and office report)

WITH C.A. No. 5026/2009

(With Office Report)

Date : 25/09/2014 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Appellant(s)

CA 5025

Mr. M. Gireesh Kumar Adv. for  
Mr. Vijay Kumar, Adv.

CA 5026

Mr. S.K. Mahale, Adv.  
Mr. Amith, Adv.  
Mr. Rajesh Mahale, Adv.

For Respondent(s)

CA 5025

Mr. S.K. Mahale, Adv.  
Mr. Amith, Adv.  
Mr. Rajesh Mahale, Adv.

CA 5026

Mr. M. Gireesh Kumar, Adv. for  
Mr. Vijay Kumar, Adv.

Ms. Anitha Shenoy, Adv.

UPON hearing the counsel the Court made the following

O R D E R

C.A. NO. 5025 OF 2009:

Civil Appeal is dismissed in terms of signed order. No costs.

C.A. NO. 5026 OF 2009:

Civil Appeal is allowed in terms of signed order. No costs.

(PARDEEP KUMAR)

AR-CUM-PS

(RENU DIWAN)

COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

