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C.A.No. 4939 OF 1999
ITEM No.110

Court No.9

SECTION-XIV

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.4939 OF 1999@@
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Bal Ram Appellant (s)

VERSUS

Union of India & Anr. Respondent (s)

WITH
SLP(C).../2000 (CC 1201)
(With appln. for c/delay in filing SLP)

Date : 01-10-2002 This/These matter(s) was/were called
on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL

For Appellant (s) Mr. Punit Dutt Tyagi, Adv.

For Respondent (s) Ms. Madhu Sweta, Adv.
Ms. Indu Malhotra, Adv.

Mr. V.B. Saharya, Adv. for
M/s Saharya & Co., Adv.

Mrs. Rekha Pandey, Adv.
for Ms. Sushma Suri, Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....T.....J
.SP2

Delay condoned in SLP(C) No.... of 2000 (CC:1201).
Leave granted.
The appeals are disposed of in terms of the signed
order. There shall be no order as to costs.

.SP1

(Neena Verma)
Court Master

(K.K. Chadha)
Court Master

Signed order is placed on the file.

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.UP 10 2; Draft, smtst; -n -PA4 -dFX-NORMAL -y -e; dumbp

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4939 OF 1999@@
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Bal Ram Appellant

Versus

Union of India and Anr. Respondents

WITH
S.L.P. (C) No...../2000 (CC:1201)

O R D E R@@
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.....L.....I.....T.....T.....T.....T.....T.....T.....J
.SP2

Delay condoned in S.L.P.(C) No..... of 2000
(CC:1201).

Leave granted.

We have heard learned counsel for the parties. It is contended by the learned counsel appearing for the appellants that the question raised in this case is covered by the judgment rendered by the Constitution Bench in the case of Sunder Vs. Union of India, reported in 2001 (7) SCC@@

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211 wherein it has been held that the claimant is entitled to interest on any other sum payable under sub-sections (1)(A) and (2) of Section 23 of the Land Acquisition Act, 1894. Learned counsel appearing for Union of India fairly accepts this position.

Having regard to the above decision, the judgment under challenge is modified only to the extent noted above.

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It is made clear that if in any case, in the appeals filed by the Union of India, challenging the very quantum of compensation awarded under the impugned judgment is altered/modified then the amount to be paid towards interest to the appellant in the case also shall be proportionately reduced in accordance with the said judgment.

The appeals are disposed of on the above terms. There shall be no order as to costs.

.SP1

.....J.
(DORAISWAMY RAJU)

.....J.
(SHIVARAJ V. PATIL)

New Delhi,
October 01, 2002.