

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 (Civil)...../2013

(CC 9571/2013)

(From the judgement and order dated 16/03/2012 in LAA No.141/2012 of The  
HIGH COURT OF KERALA AT ERNAKULAM)

PREETHILATHA SASIDHARAN  
VERSUS

Petitioner(s)

SPECIAL THASILDAR(LAND ACQUISITION)& ANR

Respondent(s)

With I.A.1 (C/delay in filing SLP)

Date: 06/05/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI  
HON'BLE MR. JUSTICE SHARAD ARVIND BOBDE

For Petitioner(s) Mr. Nishe Rajen Shonker, Adv.

For Respondent(s)

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

The petitioner is aggrieved by the conditional order passed by the Division Bench of the Kerala High Court for restoration of the application filed by her under Section 18 of the Land Acquisition Act, 1894 (for short, 'the Act'). She has also filed an application for condonation of 281 days delay.

We have heard learned counsel for the petitioner and perused the record.

The delay in filing of the special leave petition is condoned.

The petitioner's land was acquired in 2005 for the International Trans-shipment Container Terminal, Vallarpadam. The Land Acquisition Collector fixed market value of the acquired land at the rate of Rs.12,852/- per Are.

The petitioner filed an application under Section 18 of the Act for enhancing the amount of compensation. The same was registered as LAR No.54/2008.

The reference made at the instance of the petitioner was dismissed by ex-parte order dated 3.3.2009 on the ground that she had not produced any evidence to substantiate her claim for enhanced compensation.

After three years of dismissal of the reference, the petitioner filed LAA No.141/2012. The Division Bench of the High Court allowed the appeal and restored the reference with the condition that she shall not be entitled to interest under Section 28 for the period between 3.3.2009 and 31.3.2012.

We have heard learned counsel for the petitioner.

In our view, the reasons recorded by the High Court for denying interest to the petitioner for the period of delay are legally correct and there is no valid ground or justification for interference by this Court under Article 136 of the Constitution.

The special leave petition is, accordingly, dismissed.

(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Court Master