

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). 1757 OF 2006

SURILA & ORS.

Appellant (s)

VERSUS

STATE OF M.P. & ORS.

Respondent(s)

(With office report)

Date: 19/10/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Appellant(s) Mr. R. Sundervardhan, Sr. Adv.
Mr. Shawetank Sailakwal, Adv.
Mr. Manoj Saxena, Adv. for
Dr. Kailash Chand, Adv.

For Respondent(s) Mr. S.K.Dubey, Sr. Adv.
Mr. Niraj Sharma, Adv.
Mr. Sumit Kumar Sharma, Adv.

Ms. Vibha Datta Makhija ,Adv

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

The appeal is dismissed in terms of signed order.

Parties to bear their own costs.

(Pardeep Kumar) (Renu Diwan)
Court Master Court Master

[SIGNED ORDER IS PLACED ON THE FILE]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. 1757 OF 2006

SURILA & OTHERS

... APPELLANT(S)

Versus

STATE OF M.P. AND OTHERS

... RESPONDENT(S)

O R D E R

On October 11, 2011, in the course of hearing, we wanted to know from Mr. S.K. Dubey, learned senior counsel for respondent No. 3 - Ujjain Development Authority (for short "Authority") as to whether the Authority would be willing to pay compensation of the subject land by treating the date of notification published under Section 4(1) of the Land Acquisition Act, the date of the order of the Single Judge passed on January 18, 2000 reviving the notification under Section 4(1).

2. Today, Mr. S.K. Dubey, learned senior counsel submitted that the Authority is willing to do so.

3. On hearing Mr. R. Sundervardhan, learned senior counsel for the appellants and Mr. S.K. Dubey, learned senior counsel for the Authority, we are satisfied that this Civil Appeal must be dismissed. We order accordingly.

However, for the purposes of determination of compensation payable to the appellants, it is ordered that the date of

: 2 :

notification published under Section 4(1) shall be treated as January 18, 2000. The compensation payable to the appellants would be determined accordingly, if not determined so far along with statutory consequential benefits. The amount, if any, deposited by the respondents towards compensation payable to the appellants shall obviously be adjusted in the event of redetermination of compensation. We further clarify that this order shall not be applicable to the other expropriated owners or predecessor-in-interest of the appellants.

4. Parties to bear their own costs.

.....J.
(R.M. LODHA)

.....J.
(JAGDISH SINGH KHEHAR)

NEW DELHI
OCTOBER 19, 2011.