

## IN THE SUPREME COURT OF INDIA

## CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.7401 OF 2013  
(Arising out of SLP(C)No.14521 OF 2012)

JAYMANTI DEVI &amp; ORS.

.....APPELLANTS

VERSUS

STATE OF BIHAR

.....RESPONDENT

WITH

CIVIL APPEAL No.7402 OF 2013 @ SLP(C) NO. 14675 of 2012

CIVIL APPEAL No.7403 OF 2013 @ SLP(C) NO. 14698 of 2012

CIVIL APPEAL No.7404 OF 2013 @ SLP(C) NO. 14713 of 2012

CIVIL APPEAL No.7405 OF 2013 @ SLP(C) NO. 14746 of 2012

CIVIL APPEAL No.7406 OF 2013 @ SLP(C) NO. 14751 of 2012

CIVIL APPEAL No.7407 OF 2013 @ SLP(C) NO. 14802 of 2012

CIVIL APPEAL No.7408 OF 2013 @ SLP(C) NO. 15403 of 2012

CIVIL APPEAL No.7409 OF 2013 @ SLP(C) NO. 15728 of 2012

CIVIL APPEAL No.7410 OF 2013 @ SLP(C) NO. 16001 of 2012

CIVIL APPEAL No.7411 OF 2013 @ SLP(C) NO. 17914 of 2012

CIVIL APPEAL No.7412 OF 2013 @ SLP(C) NO. 16605 of 2012

O R D E R

Leave granted.

Having failed to convince the learned Single Judge of the Patna High Court to enhance the compensation determined by the Reference Court under Section 18 of the Land Acquisition Act, 1894 (for short, 'the Act'), the appellants have filed these appeals.

The lands of the appellants were part of 29 acres 18 decimals acquired by the State Government for construction of Supergrid Sub-Station.

The Land Acquisition Officer passed an award fixing market value of the acquired land by dividing the same into three categories. The Reference Court relied upon the evidence produced by the parties and enhanced the compensation.

In the appeals filed by them under Section 54 of the Act, the appellants sought enhancement in the amount of compensation by contending that for some parcels of the land, the compensation of Rs.2 lakhs was awarded in the Lok Adalats held on 21.10.2008 and 27.03.2009.

The learned Single Judge rejected the plea of the appellants by observing that size of the plots for which compensation was awarded at the rate of Rs.2 lakhs per acre was very small in comparison to similar parcels of land owned by the appellants.

We have heard learned counsel for the parties and carefully perused the record. In our view, the impugned judgment is liable to be set aside because the reason assigned by the High Court for refusing to enhance the compensation payable to the appellants to Rs.2 lakhs per acre is irrelevant. It is not in dispute that in the Lok Adalat held in October 2008 and March 2009 the State Government agreed to pay compensation to the landowners at the rate of Rs.2 lakhs per acre. Therefore, there is no justification to deny similar benefit to the appellants, whose lands were integral part of the acquisition made for construction of Supergrid Sub-

Station.

In the result, the appeals are allowed, the impugned judgment is set aside and it is declared that the appellants are entitled to compensation at the rate of Rs.2 lakhs per acre with all statutory benefits.

The respondents are directed to pay the enhanced amount of compensation and statutory benefits including interest and solatium to the appellants within a period of three months by getting prepared demand drafts in their names from a nationalised bank.

.....J.  
(G.S.SINGHVI)

.....J.

(V. GOPALA GOWDA)

NEW DELHI;  
SEPTEMBER 2, 2013.

ITEM NO.49

COURT NO.2

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).14521/2012

(From the judgement and order dated 19/01/2012 in FA No.450/1987 of The HIGH COURT OF PATNA)

JAYMANTI DEVI & ORS.

Petitioner(s)

VERSUS

STATE OF BIHAR

Respondent(s)

WITH SLP(C) NO. 14675 of 2012

(With office report)

SLP(C) NO. 14698 of 2012

(With office report)

SLP(C) NO. 14713 of 2012

(With office report)

SLP(C) NO. 14746 of 2012

(With prayer for interim relief and office report)

SLP(C) NO. 14751 of 2012

(With office report)

SLP(C) NO. 14802 of 2012

(With office report)

SLP(C) NO. 15403 of 2012  
(With office report)  
SLP(C) NO. 15728 of 2012  
(With office report)  
SLP(C) NO. 16001 of 2012  
(With office report)  
SLP(C) NO. 16605 of 2012  
(With prayer for interim relief and office report)  
SLP(C) NO. 17914 of 2012  
(With office report)

Date: 02/09/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Petitioner(s) Mr. Subhro Sanyal, Adv.

For Respondent(s) Mr. Ardhendumauli Kumar Prasad, Adv.

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

Leave granted.

The appeals are allowed in terms of the signed order.

(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Court Master

( Signed order is placed on the file )