

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. /2002@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC
(Arising out of SLP(C) Nos. 15220-15223/2000)

Kolusu Raja Rao & Ors. .. Appellants

Vs.

Land Acquisition Officer & .. Respondent
Spl. Deputy Collector

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Leave granted.

Certain lands were notified to be acquired in the year 1981 in Koppaka village coming within the vicinity of Anakapalli in Andhra Pradesh. The Land Acquisition Officer determined the compensation payable in respect of these lands at Rs.3,333/- per acre. On a reference being made at the instance of the claimants, the Reference Court enhanced the same to Rs.2,00,000/- per acre.

On appeal by the Land Acquisition Officer, the High Court felt that there was no acceptable evidence to come to the conclusion that the compensation awarded by the Reference Court was justified in any manner. If there was no satisfactory material, the High Court ought to have set aside the order under appeal before it and remitted the matter to the Reference Court for fresh ..2/-

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consideration rather than merely confirming the award made by the Land Acquisition Officer. In these circumstances, we set aside the order made by the High Court and remit the matter to the Reference Court for fresh consideration after notice to all the parties. It is open to the parties to adduce fresh or further evidence, if necessary.

The appeals are allowed accordingly.

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[S. RAJENDRA BABU]@@
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[B.N. AGRAWAL]@@
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New Delhi,@@
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April 19, 2002 @@
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