

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

Civil Appeal No(s). 2845 OF 2014

M.T. JOY (D) THR. LRS.

APPELLANT(S)

VERSUS

COCHIN EXPORT PROCESSING ZONE & ANR.

RESPONDENT(S)

O R D E R

1. Having heard learned counsel for the respondents, we are satisfied that in the peculiar facts and circumstances of this case, the High Court ought not to have withdrawn the benefit of interest on solatium and 12 per cent of Additional Market Value, which was awarded by the Reference Court to the appellants- expropriated land owners.

2. More particularly, such an order ought not to have been passed when the aforementioned statutory benefits already stood paid to the appellants in execution proceedings.

3. Consequently, the appeal is allowed. The impugned judgment of the High Court is set aside, and it is held that the appellants shall not be liable to refund any amount of the land acquisition compensation, including the interest on solatium and 12 per cent of Additional Market Value.

4. The amount of Rs.5,00,000/- (Rupees Five Lakhs only) deposited by the appellants in compliance of order dated

21.02.2014, along with the interest accrued thereupon, is directed to be returned to them.

5. However, the question of law raised in this appeal is kept open.

6. Pending application(s), if any, shall stand disposed of.

.....J.  
(SURYA KANT)

.....J  
.  
(NONGMEIKAPAM KOTISWAR SINGH)

NEW DELHI;  
16<sup>th</sup> JANUARY, 2025

