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C.A.No. 7794-7795 OF 2002
ITEM NO.101

COURT NO.2

SECTION XIV

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). 7794-7795 OF 2002

KAPUR CHAND JAIN (DEAD)BY LRS. & ORS.

Appellant (s)

VERSUS

STATE GOVT OF H.P. & ORS

Respondent(s)

WITH S.L.P.(C) NO. 11554 of 2003, S.L.P.(C) NO. 11565 of 2003, S.L.P.(C) NO. 12250 of 2003, S.L.P.(C) NO. 12526 of 2003, (With appln(s) for c/delay in filing SLP)(With prayer for interim relief and office report)

S.L.P.(C) NO. 1358 of 2003, Civil Appeal NO. 1491 of 2005,
Civil Appeal NO. 1492 of 2005, Civil Appeal NO. 1493 of 2005,
S.L.P.(C) NO. 1622 of 2003, Civil Appeal NO. 1668 of 2002
S.L.P.(C) NO. 19442 of 2003, S.L.P.(C) NO. 19636 of 2003
S.L.P.(C) NO. 24437 of 2002, S.L.P.(C) NO. 2477 of 2003,
Civil Appeal NO. 2700 of 2003, Civil Appeal NO. 2701 of 2003,
Civil Appeal NO. 2702 of 2003, Civil Appeal NO. 2703 of 2003,
S.L.P.(C) NO. 2779 of 2003, S.L.P.(C) NO. 2905 of 2003,
Civil Appeal NO. 3515-3516 of 2002, S.L.P.(C) NO. 3738 of 2003,
Civil Appeal NO. 3763 of 2001, Civil Appeal NO. 3764 of 2001,
S.L.P.(C) NO. 3766 of 2004, S.L.P.(C) NO. 3913 of 2003
Civil Appeal NO. 4103 of 2002, Civil Appeal NO. 4232 of 2001,
Civil Appeal NO. 4233 of 2001, Civil Appeal NO. 4234 of 2001
Civil Appeal NO. 4235 of 2001, Civil Appeal NO. 4236 of 2001,
Civil Appeal NO. 4237 of 2001, Civil Appeal NO. 4238 of 2001,
Civil Appeal NO. 4239 of 2001, S.L.P.(C) NO. 473-475 of 2003
S.L.P.(C) NO. 477 of 2003, S.L.P.(C) NO. 4974 of 2003,
S.L.P.(C) NO. 5296 of 2003, S.L.P.(C) NO. 5367 of 2003
S.L.P.(C) NO. 5368 of 2003, S.L.P.(C) NO. 5371 of 2003,
S.L.P.(C) NO. 5373 of 2003, S.L.P.(C) NO. 5377 of 2003,
S.L.P.(C) NO. 5380 of 2003, Civil Appeal NO. 577 of 2005,
Civil Appeal NO. 578 of 2005, Civil Appeal NO. 579 of 2005,
Civil Appeal NO. 580 of 2005, Civil Appeal NO. 581 of 2005,
S.L.P.(C) NO. 5851 of 2004, R.P.(C) NO. 658 of 1999,
Civil Appeal NO. 7168-7171 of 2002, S.L.P.(C) NO. 7176 of 2003,
S.L.P.(C) NO. 7177 of 2003, S.L.P.(C) NO. 7178 of 2003,
S.L.P.(C) NO. 7179 of 2003, S.L.P.(C) NO. 7180 of 2003
S.L.P.(C) NO. 7468 of 2003, Civil Appeal NO. 7850-7854 of 2002, Civil Appeal NO. 7859-7866 of 2002, Civil Appeal NO. 7810 of 2002,

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Civil Appeal NO. 7890 of 2002, Civil Appeal NO. 7927 of 2002,
Civil Appeal NO. 7928 of 2002, Civil Appeal NO. 7929-7930 of 2002,
Civil Appeal NO. 7931-7932 of 2002, Civil Appeal NO. 7933-7941 of 2002,
Civil Appeal NO. 7942 of 2002, Civil Appeal NO. 7943 of 2002
Civil Appeal NO. 7944 of 2002, Civil Appeal NO. 7945 of 2002,
Civil Appeal NO. 7946 of 2002, Civil Appeal NO. 7947 of 2002,
Civil Appeal NO. 7948 of 2002, Civil Appeal NO. 7949 of 2002,
Civil Appeal NO. 8019 of 2003, S.L.P.(C) NO. 8379 of 2003,
S.L.P.(C) NO. 8925 of 2002, S.L.P.(C) NO. 9037 of 2003, S.L.P.(C) NO. 9269 of 2003, Civil Appeal NO. 945 of 2002 (with appln.(s) for c/delay in filing and refiling SLP and with office report and for permission to submit addl. documents and for raising addl. grounds and with prayer for interim relief) and S.L.P.(C) NO. 8802 of 2003 (with office report on default)

Date: 29/03/2005 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

HON'BLE MR. JUSTICE S.B. SINHA

For Appellant(s) Mr. Neeraj Kumar Jain, Adv.
Mr. Aditya Kumar Chaudhary, Adv.
Mr. Ugra Shankar Prasad, Adv.

Mrs. Anil Katiyar, Adv.

In C.A.No.7810/02 Mr. V.J. Francis, Adv.

For Respondent(s)
Mr. Naresh K. Sharma, Adv.

For UOI/M/O Home, Mr. N.M. Goswami, Sr. Adv.
Delhi ADMN. Mr. T.S. Doabia, Sr. Adv.
Mr. Harish Chander, Sr. Adv.
Mr. S. Wasim A. Gadri, Adv.
Ms. Sushma Suri, Adv.
Mrs Anil Katiyar,
Mrs. Rekha Pandey, Adv.
Mrs. Asha G. Nair, Adv.
Mr. M.P.S. Tomar, Adv.
Mr. Imtiaz Ahmad, Adv.
Mrs. Kiran Bhardwaj, Adv.
Mr. Vikas, Adv.
Mr. Amitava Poddar, Adv.
Ms. Anjani Aiyagari, Adv.

Mr. P. Parmeswaran , Adv.

: 3 :

For State of A.P. Mr. Manoj Saxena, Adv.
Mr. Mohanprasad Meharia, Adv.

Mr. E.C. Agrawala, Adv.

Mr. Ajay Siwach, Adv.
For Haryana Mr. T.V. Goerge, Adv.
Mr. Harish Chander, Sr. Adv.
Mr. J.S. Attri, AAG. HP.

M/S Saharya & Co.

Mr. P.K. Jain, Adv.

For Kerala Mr. K.R. Sasiprabhu, Adv.
Ms. G. Indira, Adv.

Mr. Jasbir S. Malik, Adv.
Ms. Prerna Kumari, Adv.
Mr. Sunita Sharma, Adv.

Mr. Shreekant N. Terdal, Adv.

Mr. D.S. Mahra

Mr. V.G. Pragasam, Adv.

Dr. Krishan Singh Chauhan, Adv.

Mr. Balraj Dewan, Adv.

Mr. K.S. Rana, Adv.

Mr. Abhishth Kumar, Adv.

UPON hearing counsel the Court made the following

O R D E R

C.A.No.7810 of 2002

The appeal is allowed in terms of the signed order.

C.A.No.7850-7854 and 7859-7866 of 2002

The appeals are dismissed in terms of the signed order.

In rest of the appeals and petitions appellant/petitioner to take steps to serve the unserved respondents. Four weeks' time is granted for the purpose. Dasti service in addition.

(PAWAN KUMAR) (PREM PRAKASH)
COURT MASTER COURT MASTER

(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7810 OF 2002

Annamma Kuriakose (D) by Lrs.Appellant

Versus

State of KeralaRespondents.

With
C.A.Nos.7850-7854 and 7859-7866 of 2002

O R D E R

C.A.No.7810 of 2002

The principal question involved in this case is whether the appellant is entitled to interest on solatium and on enhanced amount of compensation granted by the High Court. This question is no more res integra. It is settled by the Constitution Bench judgment of this Court in Sunder vs. Union of India (2001) 7 SCC 211. Hence, the appellant is entitled to the interest on solatium as well as on the enhanced amount of compensation as awarded.

With the above observation this appeal is allowed.

C.A.No.7850-7854 & 7859-7866 of 2002

These appeals by the State are since covered by the Constitution Bench judgment of this Court in Sunder vs. Union of India (2001) 7 SCC 211, hence, are liable to be dismissed. Ordered accordingly.

.....J.
(N. SANTOSH HEGDE)

.....J.
(D.M. DHARMADHIKARI)

.....J.
NEW DELHI (S.B. SINHA)
MARCH 29, 2005.