

ITEM NO.53

COURT NO.4

SECTION IX

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

I.A. No.170382/2021 In Civil Appeal No.1479/2006

DIVYAGNAKUMARI HARISINH PARMAR (DEAD) & ORS.

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With IA No.170382/2021 - MODIFICATION)

Date : 20-05-2022 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Appellant(s)

Mr. Anish R. Shah, Adv.
Mr. Shivaji M. Jadhav, AOR
Mr. Brij Kishor Sah, Adv.

For Respondent(s)

Mr. Tushar Mehta, SG
Mr. Vikramjit Banerjee, ASG
Ms. Swati Ghildiyal, Adv.
Ms. Shradha Deshmukh, Adv.
Ms. Deepanwita Priyanka, Adv.
Mr. Anirudh Bakhru, Adv.
Mr. Ankur Talwar, Adv.
Mr. Siddhartha Sinha, Adv.
Mr. Arun Kumar Yadav, Adv.
Ms. Visaka Murty, Adv.
Mr. Harish Pandey, Adv.
Mr. Amrish Kumar, AOR
Mr. Arvind Kumar Sharma, AOR

Mr. Tushar Mehta, SG
 Mr. Pavan Kr. Chaturvedi, Adv.
 Mr. Nitish Kr. Singh, Adv.
 Mr. Smarhar Singh, AOR

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

- 1 Mr Tushar Mehta, Solicitor General states that the acquisition has been completed for the stretch of land comprised in the Delhi - Mumbai Expressway. There is a dispute between the appellant and the Government over the ownership of the land and the resolution of the dispute will in turn determine who is entitled to the compensation payable for acquisition of the land.
- 2 At this stage, National Highways Authority of India (NHAI) has sought modification of the interim orders dated 12 September 2005 and 24 September 2006 to the extent that the orders of *status quo* should not come in the way of NHAI taking over of possession of the land in question, which is described as follows:

Sl. No.	Village	Survey No	Name	Class of Land	Total Area	Area Acquired
1	Naroli	940/1	Shri Sarkar Premabhai Bavabhai	Agri.	01-41-00	11339
2	Naroli	966	Shri Sarkar Jivanbhai Dahyabhai	Agri.	01-06-00	8925
3	Naroli	1010/2	Shri Sarkar Dalpatsinh Bhanabhai Chauhan and Others	Agri.	01-17-00	1889

4	Naroli	1027/P1	Jashwantsinh Mohansinh Parmar	Agri.	01-29-00	3091
5	Naroli	1028	Ranchhodsinh Govansinh Parmar Thakorsinh Govansinh Parmar Dalpat Govan Parmar Bhaniben Bhagwansinh Parmar & Others	Agri.	01-24-00	2337
6	Naroli	1029	Laxmanbhai Morarbhai Valiben Harisinh Parmar and Others	Agri.	01-17-00	1815
7	Athal	335/1/1P1	Shree Sarkar Lalitaben Chunilal Shah Mahendra Kumar Chunilal Shah Pratulchandra Chunilal Shah and Others	Agri.	08-67-00	25729
8	Kharadpada	238/1P (Plot No 24)	Malji Bhima	Agri.	01-23-00	3343
9	Kharadpada	238/1P (Plot No 25)	Bhadia Mariya	Agri.	01-00-00	4928
10	Kharadpada	240/P (Plot No 32)	Vansu Raghla Valvi	Agri.	01-13-00	278
11	Kharadpada	240/P (Plot No 33/1)	Bablabhai Somji Valvi Pravinbhai Somji Valvi Prakash Somji Valvi	Agri.	00-20-00	2000
12	Kharadpada	240/P (Plot No	Bablabhai	Agri.	00-87-00	8182

		33/2)	Somji Valvi Pravinbhai Somji Valvi Prakash Somji Valvi Valvi			
13	Kharadpada	240/P (Plot No 34)	Vestabhai Ramlabhai	Agri.	01-09-00	4612
						78468

- 3 NHAI is executing a project of national importance. The Solicitor General stated that there is an urgent requirement for carrying out the remaining work before the monsoons commence. In this backdrop, NHAI is permitted to take over the possession of the above land and to that extent, the earlier orders of status quo passed by this Court shall stand modified.
- 4 The Interlocutory Application is accordingly disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(ANJU KAPOOR)
Court Master