

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil).../2005(FOR PREL.HEARING)

CC 6389-6390/2005

(From the judgement and order dated 07/01/2004 in FMA No. 69/1996 & FMA No. 173/2003 of The HIGH COURT OF CALCUTTA)

U.O.I.

Petitioner(s)

VERSUS

SHIB CHARAN SARKAR (D) BY LRS.

Respondent(s)

(With appln.(s) for c/delay in filing SLP)

Date: 15/07/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner(s)

Mr. N.N. Goswami, Sr. Adv.

Mr. Aarohi Bhalla, Adv.

Mrs. Anil Katiyar, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Counsel for the petitioner relies upon the judgment of this Court reported in 2003(5)

SCC 568(UOI Vs. Chajju Ram(dead) by LRS & Ors.) and submits that in view of the Constitution Bench decision of this Court, no statutory solatium or interest is payable under the Requisition and

Acquisition of Immovable Property Act, 1952.

Issue notice on the application for condonation of delay as well as on the special leave petition.

In the meantime, solatium and interest if deposited shall not be paid to the respondents.

(Vijay Dhawan)

(Sheetal Dhingra)

Court Master

Court Master

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