ITEM NO.14 COURT NO.11 SECTION IVA

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)...../2010
CC 10754/2010
(From the final order dated 26/03/2010 in F.A. No.21405/2008 of
The HIGH COURT OF KARNATAKA, CIRCUIT BENCH AT DHARWAD)

KARNATAKA POWER CORP. Petitioner(s)

VERSUS

ABDUL HAMID SHEIKH & ANR Respondent(s)

IA NO.1(c/delay in filing SLP)

Date: 26/07/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Dileep P., Adv.
For M/S. K.J. John & Co.,Advs.

For Respondent(s)

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

12 days delay in filing the special leave petition is condoned.

The petitioner is aggrieved by the dismissal of Miscellaneous First Appeal filed by it under Section 54 of the Land Acquisition Act, 1894.

We have heard learned counsel for the

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petitioner and carefully perused the record. In our opinion, the High Court did not commit any error by refusing to exercise its power under Section 5 of the Limitation Act for condonation of 173 days delay in filing of the Miscellaneous First Appeal because the explanation given by the petitioner was wholly unsatisfactory.

We are also convinced that the enhancement

granted by the Reference Court in the amount of compensation awarded to the respondents by the Land Acquisition Collector was just and reasonable and there is no valid ground to reduce the same.

The special leave petition is accordingly dismissed.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master