

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No(s). 7763 OF 2014

B.PANKAJAM AND ORS.

Appellant(s)

VERSUS

SPECIAL TAHSILDAR (ADW) AND ORS.

Respondent(s)

O R D E R

Heard.

We find no ground to interfere with the impugned judgment and order passed by the High Court. However, we make it clear that the finding with respect to the Title will not be binding on the Civil Court.

Consequently, the appeal is dismissed. No order as to costs.

.....J.
(ARUN MISHRA)

.....J.
(MOHAN M. SHANTANAGOUDAR)

NEW DELHI;
OCTOBER 05, 2017

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No(s). 7762 OF 2014

LAKSHMANAN AND ORS.

Appellant(s)

VERSUS

SPECIAL TAHSILDAR (ADW) AND ORS.

Respondent(s)

O R D E R

Heard.

In the fact and circumstances of the case, and considering the two sale deeds C5 and C6 for a sum of Rs.33,638/- and Rs.4835/- respectively, we deem it appropriate to restore the determination made by the Reference Court. High Court has unnecessarily reduced the compensation awarded by the reference court, as sufficient deduction had been made from the aforesaid sale deeds by the reference court. We find the compensation made by the reference court to be proper.

The order passed by the High Court is set aside, and we restore that of the reference court. The appeal is allowed to the aforesaid extent.

.....J.
(ARUN MISHRA)

.....J.
(MOHAN M. SHANTANAGOUDAR)

NEW DELHI;

OCTOBER 05, 2017

ITEM NO.106

COURT NO.8

SECTION XII

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

Civil Appeal No(s). 7763/2014

B.PANKAJAM AND ORS.

Appellant(s)

VERSUS

SPECIAL TAHSILDAR (ADW) AND ORS.

Respondent(s)

WITH

C.A. No. 7762/2014 (XII)

(APPLICATION FOR SUBSTITUTION, CONDONATION OF DELAY IN FILING
SUBSTITUTION AND APPLN. FOR SETTING ASIDE ABATEMENT)

Date : 05-10-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For the parties:

Mr. P.R. Kovilan P., Adv.

Ms. Geetha Kovilan, AOR

Mr. J. John, Adv.

Mr. M. A. Chinnasamy, AOR

Ms. C. Rubayathi, Adv.

Mr. P. Raj Ram, Adv.

Mr. V. Senthil Kumar, Adv.

Mr. B. Balaji, AOR

Mr. P. Ramesh, Adv.

Mr. K.V. Vijayakumar, Adv.

Ms. Maitreya Mishra, Adv.

UPON hearing the counsel the Court made the following
O R D E RIN CIVIL APPEAL NO. 7763/2014

The appeal is dismissed in terms of the signed order.

IN CIVIL APPEAL NO. 7762/2014

Delay condoned.

Substitution allowed.

Application for setting aside abatement is allowed.

The appeal is allowed to the extent indicated in the signed order.

Pending applications, if any shall stand disposed of.

(NEELAM GULATI)
COURT MASTER (SH)

(SHARDA KAPOOR)
ASSISTANT REGISTRAR

(Two signed orders are placed on the file)