

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO(S).5868 of 2007

AMRIT CORPN. LIMITED

Appellant(s)

VERSUS

MUNICIPAL CORPORATION OF GR.MUMBAI & ANR

Respondent(s)

O R D E R

This appeal arises out of judgment and order dated 29th April, 2004 passed by the High Court of Judicature at Bombay in Appeal No.630 of 1995 in Land Acquisition Ref.No.17 of 1982.

The land of the appellant was acquired under Section 126 of Maharashtra Regional And Town Planning Act, 1966. The collector determined the compensation at the rate of Rs.125/- per square meter which was enhanced to Rs.323/- per square meter, on reference under Section 18 under the Land Acquisition Act, 1894 by learned Single Judge of the High Court of Bombay. On appeal by the respondent, the compensation awarded to the appellant has been reduced to Rs.250/- per square meter by the Division Bench by the impugned order.

We have heard learned counsel for the parties. We are satisfied that the reduction of compensation by the Division Bench is not justified.

In view of above, we allow this appeal, set aside the judgment of the Division Bench and restore the order passed by

the Single Judge. The appellant is thus entitled to compensation which has already been paid to it. No costs.

Pending applications, if any, shall also stand disposed of.

.....J.
(ADARSH KUMAR GOEL)

.....J.
(UDAY UMESH LALIT)

New Delhi,
March 2, 2017.

ITEM NO.104

COURT NO.13

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 SCivil Appeal No(s). 5868/2007

AMRIT CORPN. LIMITED

Appellant(s)

VERSUS

MUNICIPAL CORPORATION OF GR.MUMBAI & ANR

Respondent(s)

(With interim relief and office report)

Date : 02/03/2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s) Mr. T.K. Ganju, Sr. Adv.
Mr. Aman Gupta, Adv.For Respondent(s) Mr. Pallav Sisodia, Sr. Adv.
Mr. Ashish Wad, Adv.
Ms. Jayashree Wad, Adv.
Ms. Paramita Majumdar, Adv.
Ms. Jaya Khanna, Adv.
M/s. J. S. Wad & Co.UPON hearing the counsel the Court made the following
O R D E R

In terms of the signed order, the appeal is allowed.

(MAHABIR SINGH)
COURT MASTER(VEENA KHERA)
COURT MASTER

(Signed order is placed on the file)