

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 7087 OF 2015

STATE OF WEST BENGAL AND ORS.

APPELLANT(S)

VERSUS

LAKSHMI RANI PAN

RESPONDENT(S)

WITH

C.A. No. 7091/2015

C.A. No. 7088/2015

C.A. No. 7095/2015

C.A. No. 7096/2015

O R D E R

We have heard learned counsel for the parties and perused the record.

The appellants have acquired land of the respondents for a public purpose for construction of road. Though, it is stated that an award was made on 08.05.2002, there is some dispute whether the award covers the entire land which has been acquired. There is further dispute as to the date with reference to which market value should have been determined.

Having regard to the entirety of the situation, the High Court, by impugned order, directed determination of market value as on 18.03.1999 deeming the acquisition proceedings to have been validly completed. We affirm the said view.

Since the matter has been pending in this Court,

the impugned order has not been complied with.

Since, we do not find any ground to interfere with the impugned order, while dismissing the appeals, we direct that in terms of the impugned judgment determination of market value as on 18.03.1999 be made within two months from today by way of a supplementary award. Payment in terms of the award so made, may also be made simultaneously with the making of the award.

Whatever has already been determined in terms of award dated 08.05.2002, may be paid by way of interim compensation within one month from today.

The limitation for preferring reference under Section 18 of the Land Acquisition Act, 1894 will commence from the date of the supplementary award which may now be made within two months.

Any claims for valuation may be made within one month from today before the Collector who earlier made the award. The respondents will also be at liberty to put in appearance before the Collector and make their submissions.

The appeals are, accordingly, disposed of.

.....J.
[ADARSH KUMAR GOEL]

.....J.
[UDAY UMESH LALIT]

ITEM NO.1
(Part-Heard)

COURT NO.11

SECTION XVI

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

Civil Appeal No(s). 7087/2015

STATE OF WEST BENGAL AND ORS.

Appellant(s)

VERSUS

LAKSHMI RANI PAN

Respondent(s)

WITH

C.A. No. 7091/2015 (XVI)

C.A. No. 7088/2015 (XVI)

C.A. No. 7095/2015 (XVI)

(FOR PERMISSION TO FILE APPLICATION FOR DIRECTION ON IA 41822/2017
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS ON IA 41824/2017)

C.A. No. 7096/2015 (XVI)

SLP(C) No. 4236/2017 (XVI)

Date : 30-11-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s) Ms. Nandini Sen, Adv
Mr. Chanchal Kumar Ganguli, AOR

Mr. Parijat Sinha, AOR

Mr. Anip Sachthey, AOR

For Respondent(s) Mr. Arun Mohan, Sr. Adv.
Mr. Kuber Giri, Adv.
Mr. Amit Pan, Adv.
Ms. Neha T. Phookan, Adv.
Mr. Rituj Chopra, Adv.

Mr. Husefa Ahmedi, Sr. Adv.

Mr. Debayan Bera, Adv.

Mr. Soumya Dutta, Adv.

Mr. Anjuman Tripathy, Adv.

Mr. Shibashish Misra, AOR

Mr. Pijush K. Roy, Adv.

Mr. Swapan Kumar Dey, Adv.

Mrs. Kakali Roy, Adv.

Mr. Rajan K. Chourasia, AOR

Mr. Partha Sil, AOR

Ms. Soumya Dutta, AOR

Mr. Mithilesh Kumar Singh, AOR

Mr. Shailesh Madiyal, AOR

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

In C.A.No.7087/2015, C.A. No. 7091/2015, C.A. No. 7088/2015, C.A.
No. 7095/2015 & C.A. No. 7096/2015:

The appeals are disposed of in terms of the signed order.
Pending applications, if any, shall also stand disposed
of.

In SLP(C) No. 4236/2017

List the matter on 13th December, 2017.

(SWETA DHYANI)
SENIOR PERSONAL ASSISTANT

(Signed order is placed on the file)

(RAJINDER KAUR)
BRANCH OFFICER