

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 10277 OF 2024  
(Arising out of SLP (c) No.30272/2010)

ABDUL KHADAR MIYA (D) THR. LRS

APPELLANT(S)

VERSUS

SPL.LAND ACQUISITION OFFICER, M & MIP & ANR.

RESPONDENT(S)

O R D E R

Leave granted.

It is not in dispute that the subject matter of the appeal is covered under the order passed in C.A. No. 5434 of 2010 and connected appeals wherein the following order was passed :

"3. Some of the appeals, pertaining to the same acquisition, have been heard by the Single Judge and some by the Division Bench. The Division Bench, in C.A. Nos. 5435-5436/2010 (Kashinath Vs. Special Land Acquisition Officer, M & MIP, Gulbarga, Karnataka & Anr. Etc.), has awarded compensation @ Rs.1,29, 240/- (Rupees One Lakh Twenty Nine Thousand Two Hundred Forty only) per acre.

4. In our opinion, the compensation that has been granted in the case of Kashinath (supra), is appropriate. It is based on the capitalization of the yield method for 10 years. However, since some other matters have been decided by the Single Judge and different compensation has been worked out, i.e., from Rs.40,000/- to Rs.60,000/-, in our opinion, the compensation should be as was granted in the case of Kashinath (supra), because in all the cases more or less the land pertains to the same acquisition and the State has not preferred any appeal as against the amount awarded by the High Court in the case of Kashinath. Consequently, we are inclined to enhance the compensation to the same, as had been awarded in the case of Kashinath (supra), along with statutory benefits. No case for further enhancement in the case of Kashinath is made out. The difference between the compensation that has been paid and the one enhanced on the basis of Kashinath's case be worked out and paid

within four months from today.

5. The appeals as well as pending applications, if any, are accordingly disposed of."

In view of the aforesaid terms, the appeal is allowed.

It is made clear that the compensation must be paid within four months from today.

..... J.  
[M.M. SUNDRESH]

..... J.  
[ARAVIND KUMAR]

NEW DELHI;  
SEPTEMBER 02, 2024

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

Petition for Special Leave to Appeal (C) No.30272/2010

(Arising out of impugned final judgment and order dated 01-12-2006 in MFA No. 6584/2005 passed by the High Court of Karnataka at Bengaluru)

ABDUL KHADAR MIYA (D) THR. LRS

Petitioner(s)

VERSUS

SPL.LAQ OFFICER, M & MIP & ANR.

Respondent(s)

(IA No. 5144/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 02-09-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH  
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) Ms. Sonia Mathur, Sr. Adv.  
Mr. Raja Venkatappa Naik, Adv.  
Mr. Mata Prasad Singh, Adv.  
Ms. Shubhi Bhardwaj, Adv.  
Ms. Ronika Tater, Adv.  
Ms. Manju Jetley, AOR  
Mr. Praveen Pathak, Adv.

For Respondent(s) Mr. V. N. Raghupathy, AOR  
Mr. Raghavendra M. Kulkarni, Adv.  
Mr. Vishwanath P. Allannavar, Adv.  
Ms. Mythili S, Adv.

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

Leave granted.

The appeal is allowed in terms of signed order.

Pending application(s) shall stand disposed of.

(RAJNI MUKHI)  
COURT MASTER (SH)

(Signed order is placed on the file)

(POONAM VAID)  
COURT MASTER (NSH)