

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4147 OF 2014
(Arising out of SLP (C)NO. 4961 OF 2006)

|Tehri Hydro Development Corporation |.. Appellant(s) |

Versus

|Sri Lekhi Ram Semalti (Dead) & Anr. |.. Respondent(s) |

WITH

CIVIL APPEAL NO. 4148 OF 2014
(Arising out of SLP(C) No. 19183 of 2006)

CIVIL APPEAL NO. 4149 OF 2014
(Arising out of SLP(C) No. 21225 of 2006)

CIVIL APPEAL NO. 4150 OF 2014
(Arising out of SLP(C) No. 21228 of 2006)

CIVIL APPEAL NO. 4151 OF 2014
(Arising out of SLP(C) No. 7662 of 2007)

CIVIL APPEAL NO. 4152 OF 2014
(Arising out of SLP(C) No. 17722 of 2007)

CIVIL APPEAL NO. 4153 OF 2014
(Arising out of SLP(C) No. 24135 of 2007)

CIVIL APPEAL NO. 4154 OF 2014
(Arising out of SLP(C) No. 23907 of 2007)

CIVIL APPEAL NO. 4156 OF 2014
(Arising out of SLP(C) No. 23858 of 2007)

CIVIL APPEAL NO. 4155 OF 2014
(Arising out of SLP(C) No. 3784 of 2008)

CIVIL APPEAL NO. 4157 OF 2014
(Arising out of SLP(C) No. 5129 of 2008)

CIVIL APPEAL NO. 4158 OF 2014
(Arising out of SLP(C) No. 9790 of 2008)

CIVIL APPEAL NO. 4159 OF 2014
(Arising out of SLP(C) No. 15828 of 2008)

CIVIL APPEAL NO. 4160 OF 2014
(Arising out of SLP(C) No. 22213 of 2008)

CIVIL APPEAL NO. 4161 OF 2014
(Arising out of SLP(C) No. 25329 of 2008)

CIVIL APPEAL NO. 4162 OF 2014
(Arising out of SLP(C) No. 5717 of 2009)

CIVIL APPEAL NO. 4163 OF 2014
(Arising out of SLP(C) No. 23157 of 2008)

CIVIL APPEAL NO. 4164 OF 2014
(Arising out of SLP(C) No. 12430 of 2010)

CIVIL APPEAL NO. 4165 OF 2014
(Arising out of SLP(C) No. 6513 of 2008)

CIVIL APPEAL NO. 4166 OF 2014
(Arising out of SLP(C) No. 5144 of 2008)

CIVIL APPEAL NO. 4167 OF 2014
(Arising out of SLP(C) No. 6568 of 2008)

CIVIL APPEAL NO. 4168 OF 2014
(Arising out of SLP(C) No. 22219 of 2008)

CIVIL APPEAL NO. 4169 OF 2014
(Arising out of SLP(C) No. 22216 of 2008)

CIVIL APPEAL NO. 4170 OF 2014
(Arising out of SLP(C) No. 22217 of 2008)

CIVIL APPEAL NO. 4171 OF 2014
(Arising out of SLP(C) No. 23575 of 2007)

CIVIL APPEAL NO. 4172 OF 2014
(Arising out of SLP(C) No. 9387 of 2008)

CIVIL APPEAL NO. 4173 OF 2014
(Arising out of SLP(C) No. 8930 of 2008)

CIVIL APPEAL NO. 4174 OF 2014
(Arising out of SLP(C) No. 22673 of 2008)

CIVIL APPEAL NO. 4175 OF 2014
(Arising out of SLP(C) No. 1017 of 2009)

CIVIL APPEAL NO. 4176 OF 2014
(Arising out of SLP(C) No. 1023 of 2009)

CIVIL APPEAL NO. 4177 OF 2014
(Arising out of SLP(C) No. 1022 of 2009)

CIVIL APPEAL NO. 4178 OF 2014
(Arising out of SLP(C) No. 1018 of 2009)

CIVIL APPEAL NO. 4179 OF 2014
(Arising out of SLP(C) No. 1021 of 2009)

CIVIL APPEAL NO. 4180 OF 2014
(Arising out of SLP(C) No. 11255 of 2010)

CIVIL APPEAL NO. 4181 OF 2014
(Arising out of SLP(C) No. 11257 of 2010)

CIVIL APPEAL NO. 4182 OF 2014
(Arising out of SLP(C) No. 22674 of 2008)

CIVIL APPEAL NO. 4183 OF 2014
(Arising out of SLP(C) No. 12215 of 2012)

CIVIL APPEAL NO. 4184 OF 2014
(Arising out of SLP(C) No. 26848 of 2013)

CIVIL APPEAL NO. 4185 OF 2014
(Arising out of SLP(C) No. 17044 of 2011)

12. We have heard Shri Altaf Ahmed, learned senior counsel appearing for the appellant-Corporation and other learned counsel appearing for the respective parties.

13. Shri Altaf Ahmed, learned senior counsel has brought to our notice the judgment and order passed by the same High Court in First Appeal No.27 of 2002, dated 29.11.2005 wherein for the same hydro project the High Court has fixed the compensation at Rs.15.19/- per square feet for the lands acquired some time in the year 1984. He contends that the High Court in the present case was not justified in confirming the orders passed by the Reference Court which had fixed the compensation at Rs.30/- per square feet.

14. In the First Appeal No. 27 of 2002 the High Court has merely confirmed the judgment and order passed by the Reference Court wherein the Reference Court had fixed the compensation payable at Rs.15.19/- per square feet. The High Court has not adverted to any one of the sale deeds that were referred to by the Reference Court. Therefore, in our view, it cannot be held that the judgment and order passed in First Appeal No. 27 of 2002 determines a value which requires to be valued by the High Court in other cases.

15. In the instant case, the High Court while confirming the award passed by the Reference Court has taken into consideration the compensation re-fixed by the Reference Court.

16. After carefully going through the impugned judgment(s) and order(s) passed by the Reference Court as well as by the High Court we are of the considered opinion that the High Court has not committed any error, whatsoever, which would call for our interference. The appeal is dismissed, accordingly.

17. We direct the Corporation to distribute the compensation payable to land-losers as expeditiously as possible, at any rate within six months from the date of receipt of the copy of this Court's order.

Ordered accordingly.

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(Arising out of SLP(C) No. 23575 of 2007)

CIVIL APPEAL NO. 4172 OF 2014
(Arising out of SLPC) No. 9387 of 2008)

CIVIL APPEAL NO. 4173 OF 2014
(Arising out of SLP(C) No. 8930 of 2008)

CIVIL APPEAL NO. 4174 OF 2014
(Arising out of SLP(C) No. 22673 of 2008)

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CIVIL APPEAL NO. 4182 OF 2014
(Arising out of SLP(C) No. 22674 of 2008)

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(Arising out of SLP(C) No. 12215 of 2012)

CIVIL APPEAL NO. 4184 OF 2014
(Arising out of SLP(C) No. 26848 of 2013)

CIVIL APPEAL NO. 4185 OF 2014
(Arising out of SLP(C) No. 17044 of 2011)

CIVIL APPEAL NO. 4186 OF 2014
(Arising out of SLP(C) No. 31122 of 2008)

CIVIL APPEAL NO. 4187 OF 2014
(Arising out of SLP(C) No. 29995 of 2010)

1. Delay condoned.

2. Substitution application(s), if any, is allowed.

3. Leave granted.

4. In view of order passed in Civil Appeal arising out of Special Leave Petition (C) No. 4961 of 2006, these appeals are also disposed of on the same terms, observations and directions.

.....J.
[H.L. DATTU]

.....J.
[S.A. BOBDE]

NEW DELHI,
MARCH 26, 2014.

ITEM NO. 3

COURT NO.3

SECTION X

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) No(s).4961/2006

(From the judgement and order dated 09/08/2004 in FA No.560/2001 of The

TEHRI HYDRO DEVELOPMENT CORPORATION

Petitioner(s)

VERSUS

SRI LEKHI RAM SEMALTI(DEAD)&ANR

Respondent(s)

(With appln(s) for c/delay in filing SLP,substitution of L.Rs of the deceased respondent,c/delay in filing substitution appln. and prayer for interim relief and office report)

WITH SLP(C) NO.19183/2006,21225/2006,21228/2006,7662/2007,
17722/2007, 24135/2007,23907/2007,23858/2007,3784/2008,
5129/2008,9790/2008, 15828/2008,22213/2008,25329/2008,
5717/2009,23157/2008,12430/2010, 6513/2008,5144/2008,
6568/2008,22219/2008,22216/2008,22217/2008,23575/2007,9387/2008,
8930/2008,22673/2008,1017/2009,1023/2009,1022/2009,1018/2009,
1021/2009,11255/2010,11257/2010,22674/2008,2647/2007,2649/2007,
2650/2007,4614/2007,4618/2007,4620/2007,4625/2007,25780/2009,
25777/2009,25783/2009,25789/2009,25786/2009, 25796/2009,25790/2009,
12215/2012,26848/2013,17044/2011)

MATTERS FILED BY INDIVIDUALS

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SLP(C)No.31122/2008 RATAN SINGH (D) THR.LRS.& ANR.

Vs. COLLECTOR & ANR.

(WITH APPLN.(S) FOR C/DELAY
IN FILING SLP AND OFFICE REPORT)
(FOR FINAL DISPOSAL)
WITH SLP(C)NO. 29995/2010,

Date: 26/03/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTA
HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s)/ Mr. Altaf Ahmed, Sr. Adv.
Respondent(s) Mr. D.K. Garg, Adv.
Mr. Abhishek Garg, Adv.
Mr. Dhananjay Garg, Adv.

Mr. Shrish Kumar Misra,Adv.

..2/-

Mr. Jatinder Kumar Bhatia,Adv.
Mr. Mukesh Verma, Adv.

Mr. Vinay Arora, Adv.
Mr. Sanjay Jain, Adv.

Mr. K.S. Rana, Adv.

Mr. Subraminium Prasad, Adv.

Mr. Anuvarat Sharma, Adv.

Mr. Sudharshan Singh Rawat, Adv.
Mr. Anukul Chandra Pradhan, Sr. Adv.
Mr. Sushendra K Chauhan, Adv.
Mr. Bhupendra Singh, Adv.
Mr. R.P. Gupta, Adv. (NP)

Mr. Deba Prasad Mukherjee, Adv.

Mr. Mahabir Singh, Sr. Adv.
Mr. Nikhil Jain, Adv.
Mr. Gagan Deep Sharma, Adv.
Ms. Preeti Singh, Adv.

Mr. Pahlad Singh Sharma, Adv.

Mr. R.P. Goyal, Adv.

Ms. Rachana Srivastava, Adv.
Mr. Utkarsh Sharma, Adv.

Mr. Vishwa Pal Singh, Adv.

Mr. Pradeep Misra, Adv.

Mr. P.N. Gupta, Adv.

Mr. Ratnakar Dash, Sr. Adv.
Mr. Ardhendumauli Kumar Prasad, Adv.

Mr. Sunil Gupta, Sr. Adv.
Mr. Vinay Garg, Adv.
Mr. Tanmaya Agarwal, Adv.

Mr. D.N. Goburdhan, Adv.
Mr. Prabal Bagchi, Adv.

..3/-

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

SLP(C) Nos. 2647, 2649, 2650, 4614, 4618, 4620,4625 of 2007,
25780, 25777, 25783, 25789 25786, 25796, 25790 of 2009

List tomorrow, i.e. 27.03.2014.

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

SLP(C) Nos. 2647, 2649, 2650, 4614, 4618, 4620,4625 of 2007,
25780, 25777, 25783, 25789 25786, 25796, 25790 of 2009

List tomorrow, i.e. 27.03.2014.

SLP(C) NO.4961/2006

Delay condoned.

Substitution application(s), if any, is allowed.

Leave granted.

The appeal is dismissed in terms of the signed order.

SLP(C) Nos.19183/2006, 21225/2006,21228/2006,7662/2007,
17722/2007, 24135/2007,23907/2007,23858/2007,3784/2008,
5129/2008,9790/2008, 15828/2008,22213/2008,25329/2008,
5717/2009,23157/2008,12430/2010, 6513/2008,5144/2008,
6568/2008,22219/2008,22216/2008,22217/2008,23575/2007,
9387/2008,8930/2008,22673/2008,1017/2009,1023/2009,
1022/2009,1018/2009,1021/2009,11255/2010,11257/2010,
22674/2008,12215/2012,26848/2013,17044/2011,
SLP(C)No.31122/2008,SLP(C)NO. 29995/2010,

Delay condoned.

Substitution application(s), if any, is allowed.

Applications for deletion are allowed.

Leave granted.

The appeals are disposed of on the same terms, observations
and directions.

| [Charanjeet Kaur] | | [Vinod Kulvi] |
|Court Master | |Asstt. Registrar |

[Signed order is placed on the file]