

ITEM NO.8+46

COURT NO.4

SECTION IV-A

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

SPECIAL LEAVE PETITION (CIVIL)Diary No(s).49540/2023

(Arising out of impugned final judgment and order dated 27-09-2023 in WA No.892/2022 passed by the High Court of Karnataka at Bengaluru)

BANGALORE METRO RAIL CORPORATION LIMITED

Petitioner(s)

VERSUS

L.VENKATARAMANA RAJU & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.27879/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.27881/2024-EXEMPTION FROM FILING O.T. and IA No.27882/2024-CONDONATION OF DELAY IN REFILEING/ CURING THE DEFECTS)

With

SLP@.....D.No.49977/2023(IV-A)

(FOR ADMISSION and I.R. and IA No.27884/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.27885/2024-EXEMPTION FROM FILING O.T. and IA No.27886/2024-CONDONATION OF DELAY IN REFILEING/ CURING THE DEFECTS)

Date : 09-02-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. Siddharth Bhatnagar, Sr.Adv.
Mr. Vaibhav Joshi, AOR

For Respondent(s) Ms. Kiran Suri, Sr.Adv.
Mr. Mahesh Thakur, Adv.

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

1. Delay condoned.
2. Issue notice, returnable on 09.04.2024.
3. Mr. Mahesh Thakur, learned counsel, who appears on caveat on behalf of respondent Nos.1 and 2 in SLP(C).....D.No.49977/2023, accepts and waives service of formal notice upon the said respondents. The official respondents may be served through dasti process.

4. Since the petitioner has raised only legal issues, it is not necessary for the private respondents to file any counter affidavit.

5. However, the official respondents may file their counter affidavits within four weeks.

6. The prayer for stay is declined.

7. The Prescribed Authority-cum-Collector, under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as "the 2013 Act"), is directed to continue with the proceedings to assess the compensation in accordance with the 2013 Act.

8. If an award has already been passed in favour of the private respondents under the 2013 Act, let the enhanced amount of compensation be deposited by the petitioner with the Reference Court. However, the same shall not be disbursed till further orders.

9. The amount already deposited by the petitioner-Corporation may be disbursed to the land owners without prejudice to the legal rights of the parties.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(PREETHI T.C.)
COURT MASTER (NSH)