

ITEM NO.4 Court 5 (Video Conferencing)

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

Petition(s) for Special Leave to Appeal (C) No(s).6684-6685/2021

(Arising out of impugned final judgment and order dated 02-02-2021 in MFA No. 8346/2013 and MSA No. 10/2015 passed by the High Court of Karnataka at Bengaluru)

THE EXECUTIVE ENGINEER K.E.B. (NOW KARNATAKA ELECTRICITY TRANSMISSION CORPORATION LTD.) Petitioner(s)

VERSUS

M.N. PADMANABHA & ANR. ETC. Respondent(s)

(FOR ADMISSION and I.R. and IA No.59255/2021-EXEMPTION FROM FILING O.T. )

Date : 15-07-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. K.M. Nataraj, ASG  
Mr. S.K. Kulkarni, Adv.  
Mr. M. Gireesh Kumar, Adv.  
Mr. Ankur S. Kulkarni, AOR  
Ms. Uditha Chakravarthy, Adv.

For Respondent(s) Mr. Mohan Parasaran, Sr. Adv.  
Mr. Ashwin Kumar DS, Adv.  
Ms. Aditi Dani, Adv.  
Mr. Vishnu Kumar, Adv.  
Ms. Surbhi Mehta, AOR  
  
Mr. Kirit Javali, Adv.  
Mr. Ninad Dogra, AOR

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

1 Mr K M Nataraj, learned Additional Solicitor General, submits that in enhancing the compensation to Rs 5.88 lakhs per acre, the High Court relied on a sale instance dated 31 May 1995 in respect of land admeasuring 20 x 60 feet. The

submission is that since the land in question admeasures, in all, 25 acres, the sale instance could not, by any means, be regarded as comparable. In these circumstances, it has also been submitted that the deduction which has been made to the extent of 55% is clearly inadequate. The learned Additional Solicitor General has also relied upon an order of this Court dated 8 January 2021 [**The Executive Engineer (ELCL)(O and M) Karnataka Power Transmission Corporation Ltd v Sundarabai (Dead) By LRs and Anr etc.<sup>1</sup>**].

2 Issue notice, returnable in eight weeks.

3 Mr Mohana Parasaran, learned Senior Counsel, with Ms Surbhi Mehta, AOR, accepts notice on behalf of the first and third to eighth respondents in SLP(C) No 6685 of 2021 and Mr Kirit Javali, learned counsel, with Mr Ninad Dogra, AOR, accepts notice on behalf of the first respondent in SLP(C) No 6684 of 2021.

4 Counter affidavits shall be filed within four weeks from today.

5 The petitioner shall deposit 50% of the enhanced compensation in the Reference Court, if not already deposited, which shall be invested in an interest bearing fixed deposit. In the event the enhanced compensation has been deposited, the entirety of the enhanced compensation shall be invested in an interest bearing fixed deposit. The amount shall not be released to the claimant, without the leave of this Court.

7 Tag with SLP(C) No 6401 of 2020.

**(SANJAY KUMAR-I)**  
**AR-CUM-PS**

**(SAROJ KUMARI GAUR)**  
**COURT MASTER**

1 SLP(C) No 15602-15603 of 2020 (Annexure P-1)