

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4802 OF 2023
(Arising out of SLP(Civil) No.15438 of 2016)

UMESH PAHWA & ANR.

APPELLANTS

VERSUS

STATE OF MADHYA PRADESH & ORS.

RESPONDENTS

WITH

CIVIL APPEAL NO.4803 OF 2023
(Arising out of SLP(Civil) No.10381/2017)

CIVIL APPEAL NO.4804 OF 2023
(Arising out of SLP(C) No.10386/2017)

CIVIL APPEAL NO.4805 OF 2023
(Arising out of SLP(C) No.10385/2017)

CIVIL APPEAL NO.4806 OF 2023
(Arising out of SLP(C) No.10384/2017)

CIVIL APPEAL NO.4807 OF 2023
(Arising out of SLP(C) No.10383/2017)

CIVIL APPEAL NO.4808 OF 2023
(Arising out of SLP(C) No.10382/2017)

CIVIL APPEAL NO.4809 OF 2023
(Arising out of SLP(C) No.10387/2017)

CIVIL APPEAL NO.4810 OF 2023
(Arising out of SLP(C) No.10389/2017)

CIVIL APPEAL NO.4811 OF 2023
(Arising out of SLP(C) No.10388/2017)

CIVIL APPEAL NO.4812 OF 2023
(Arising out of SLP(C) No.2068/2017)

CIVIL APPEAL NO.4813 OF 2023
(Arising out of SLP(C) No.2063/2017)

CIVIL APPEAL NO.4814 OF 2023
(Arising out of SLP(C) No.2962/2017)

CIVIL APPEAL NO.4815 OF 2023
(Arising out of SLP(C) No.2065/2017

CIVIL APPEAL NO.4816 OF 2023
(Arising out of SLP(C) No. 2961/2017

CIVIL APPEAL NO.4817 OF 2023
(Arising out of SLP(C) No.2959/2017

CIVIL APPEAL NO.4818 OF 2023
(Arising out of SLP(C) No.2064/2017

CIVIL APPEAL NO.4819 OF 2023
(Arising out of SLP(C) No.2130/2017

CIVIL APPEAL NO.4820 OF 2023
(Arising out of SLP(C) No.2069/2017

CIVIL APPEAL NO.4821 OF 2023
(Arising out of SLP(C) No.2947/2017

CIVIL APPEAL NO.4822 OF 2023
(Arising out of SLP(C) No.2066/2017

CIVIL APPEAL NO.4823 OF 2023
(Arising out of SLP(C) No.2960/2017

CIVIL APPEAL NO.4824 OF 2023
(Arising out of SLP(C) No.12583/2017

CIVIL APPEAL NO.4825 OF 2023
(Arising out of SLP(C) No.12585/2017

CIVIL APPEAL NO.4826 OF 2023
(Arising out of SLP(C) No.12586/2017

CIVIL APPEAL NO.4827 OF 2023
(Arising out of SLP(C) No.14459/2017

CIVIL APPEAL NO.4828 OF 2023
(Arising out of SLP(C) No.14460/2017

CIVIL APPEAL NO.4829 OF 2023
(Arising out of SLP(C) No.14487/2017

CIVIL APPEAL NO.4830 OF 2023
(Arising out of SLP(C) No.14456/2017

CIVIL APPEAL NO.4831 OF 2023
(Arising out of SLP(C) No.12584/2017

CIVIL APPEAL NO.4832 OF 2023
(Arising out of SLP(C) No.20442/2017)

CIVIL APPEAL NO.4833 OF 2023
(Arising out of SLP(C) No.14486/2017)

CIVIL APPEAL NO.4834 OF 2023
(Arising out of SLP(C) No.14461/2017)

O R D E R

1. Leave granted.
2. In this batch of civil appeals, the appellants-land owners are aggrieved by the judgment dated 15.02.2016 passed by the Division Bench of the High Court of Madhya Pradesh Bench at Indore as well as subsequent judgments following the said judgment dated 15.02.2016, whereby the writ appeals have been allowed, and while setting aside the judgment of the learned Single Judge, the notifications under Sections 4 as well as 6 of the Land Acquisition Act, 1894 (for short 'the Act') in respect of the lands of the appellants, have been upheld. It is worth mentioning that the learned Single Judge, vide judgment dated 06.11.2012 held that the notification under Section 4 of the Act was valid, but subsequent proceedings were struck down as no opportunity was accorded to the interested persons to file objections under Section 5-A of the Act.
3. The aggrieved land owners are before this Court.
4. When the matters were taken up on 18.04.2023, Mr. Saurabh Mishra, learned Additional Advocate General for

the State of Madhya Pradesh, made a statement that the State of Madhya Pradesh was likely to take a fresh decision with respect to the acquisition under challenge. He was accordingly granted time to have instructions.

5. In deference to the statement made on behalf of the State of Madhya Pradesh, the Sub-Divisional Magistrate, Depalpur, Indore, has filed an application along with affidavit, *inter alia*, pointing out that a meeting was held on 15.06.2016 under the Chairmanship of the Chief Secretary of the State to consider the Delhi - Mumbai Industrial Corridor Project. It was decided that all the proceedings initiated for land acquisition under the Land Acquisition Act, 1894 for Betama-Pithampur Industrial Cluster (part of Delhi - Mumbai Industrial Corridor) in four villages, namely, Kali Billod, Ranmal Billod, Salempur and Ambapur, Tehsil Depalpur, Indore be scrapped and all future proceedings pertaining to acquisition of land be initiated under M.P. Investment Region Development and Management Act, 2013. A fresh acquisition was to be undertaken by the Madhya Pradesh Industrial Development Corporation, namely, the project proponent, who is also party before us.

6. It is stated in para 4 of the application-cum-affidavit that the Collector, Indore being the Prescribed Authority accepted the proposal on 12.07.2023 to scrap the land acquisition proceedings under the Betma-Pithampura Industrial Cluster as per the decision of the

competent authority dated 15.06.2016.

7. Paragraphs 5 and 6 of the affidavit further read as follows:

"5. That it is here relevant to submit that based on the decision taken in the meeting dated 15/06/2016 and the order of the Collector, Indore, Madhya Pradesh dated 12/07/2023 all the proceedings initiated under Betma Pithampura Industrial Cluster for land acquisition in 4 villages namely Kali Billod, Ranmal Billod, Salempur and Ambapur, Tehsil Depalpur Dist. Indore have been scrapped and all the Special Leave Petitions connected/tagged along with the present Petition challenging the order dated 15/02/2016 passed by the Hon'ble High Court having been covered by the decision taken in meeting dated 15/06/2016 have become infructuous and the Petitions are liable to be disposed off. A true-typed copy of the List of all the Connected Special Leave Petitions filed against the order dated 15/02/2013 of the Hon'ble High Court is being marked and annexed herewith as Annexure A-3.

6. It is submitted that MIPDC (Madhya Pradesh Industrial Development Corporation) is acquiring lands under the provisions of M.P. Investment Region Development and Management Act, 2013. Under this Act Pithampur Investment Region Scheme has been notified and in the first phase of the development department is developing Pithampur Sector - 7 on area around 2186 Hectares. This phase includes Private land area around 1446 Hectors, out of which we have already acquired around 360 Hectares through mutual consent and we have also received consent from the landholders for acquiring another around 140 Hectares under the same act."

8. In view of the above-stated stand taken on behalf of the State of Madhya Pradesh, and since the impugned acquisition process initiated under the Land Acquisition Act, 1894 has since been scrapped, these Civil Appeals have indeed been rendered infructuous.

9. It goes without saying that Madhya Pradesh Industrial Development Corporation shall be at liberty to proceed with the acquisition process under the M.P. Investment Region Development and Management Act, 2013 through mutual consent and/or as per the procedure that may be prescribed under the Act to acquire the land for development of the subject-project.

10. The Civil Appeals stand disposed of in the above terms.

11. Pending applications, including the application for impleadment, stand disposed of.

.....J.
(SURYA KANT)

.....J.
(DIPANKAR DATTA)

New Delhi;
July 31, 2023

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 (C) No(s).15438/2016

(Arising out of impugned final judgment and order dated 15-02-2016
in WA No.343/2013 passed by the High Court Of M.P At Indore)

UMESH PAHWA & ANR.

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH & ORS.

Respondent(s)

WITH

SLP(C) No.10381/2017 (IV-C)

SLP(C) No. 10386/2017 (IV-C)

SLP(C) No. 10385/2017 (IV-C)

SLP(C) No. 10384/2017 (IV-C)

SLP(C) No. 10383/2017 (IV-C)

SLP(C) No. 10382/2017 (IV-C)

SLP(C) No. 10387/2017 (IV-C)

SLP(C) No. 10389/2017 (IV-C)

SLP(C) No. 10388/2017 (IV-C)

SLP(C) No. 2068/2017 (IV-C)

SLP(C) No. 2063/2017 (IV-C)

SLP(C) No. 2962/2017 (IV-C)

SLP(C) No. 2065/2017 (IV-C)

SLP(C) No. 2961/2017 (IV-C)

SLP(C) No. 2959/2017 (IV-C)

SLP(C) No. 2064/2017 (IV-C)

SLP(C) No. 2130/2017 (IV-C)

SLP(C) No. 2069/2017 (IV-C)

SLP(C) No. 2947/2017 (IV-C)

SLP(C) No. 2066/2017 (IV-C)

SLP(C) No. 2960/2017 (IV-C)

SLP(C) No. 12583/2017 (IV-C)

SLP(C) No. 12585/2017 (IV-C)

SLP(C) No. 12586/2017 (IV-C)

SLP(C) No. 14459/2017 (IV-C)

SLP(C) No. 14460/2017 (IV-C)

SLP(C) No. 14487/2017 (IV-C)

(IA No. 1/2017 - CONDONATION OF DELAY IN FILING)

SLP(C) No. 14456/2017 (IV-C)

SLP(C) No. 12584/2017 (IV-C)

SLP(C) No. 20442/2017 (IV-C)

SLP(C) No. 14486/2017 (IV-C)

(IA No. 1/2017 - CONDONATION OF DELAY IN FILING)

SLP(C) No. 14461/2017 (IV-C)

Date : 31-07-2023 These petitions were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE DIPANKAR DATTA**

For Petitioner(s)

**Ms. Nandini Gore, Adv.
Ms. Aditi Bhatt, Adv.
Ms. Tahira Karanjawala, Adv.
Mr. Arjun Sharma, Adv.
Ms. Manvi Rastogi, Adv.
M/s. Karanjawala & Co., AOR**

**Ms. Pragati Neekhra, AOR
Mr. Aditya Bhanu Neekhra, Adv.**

For Respondent(s) Mr. Arjun Garg, AOR

**Mr. Saurabh Mishra, A.A.G.
Mr. Sunny Choudhary, AOR
Mr. Abhinav Shrivastava, Adv.
Dr. Sasmita Patra, Adv.
Mr. R.P. Singh, Adv.
Mr. Shivang Rawat, Adv.**

**Mr. Mishra Saurabh, AOR
Mr. K. Krishna Kumar, AOR**

**Mr. K.M. Nataraj, A.S.G.
Mr. Harmeet Singh Ruprah, AOR
Mr. Sunit Arora, Adv.
Mr. Sumit Arora, Adv.
Mr. Vatsal Joshi, Adv.**

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

Delay, if any, is condoned.

Leave granted.

The civil appeals are disposed of in terms of the signed order.

Pending applications, including the application for impleadment, stand disposed of.

**(ARJUN BISHT)
COURT MASTER (SH)**

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

(signed order is placed on the file)