

Divisional Manager M.P. Road ... vs Geeta Devi on 9 October, 2023

Bench: B.R. Gavai, Pamidighantam Sri Narasimha, Prashant Kumar Mishra

ITEM NO.31

COURT NO.4

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 39380/2023

(Arising out of impugned final judgment and order dated 02-01-2023 in IA No. 3483/2021 passed by the High Court of M.P. Principal Seat at Jabalpur)

DIVISIONAL MANAGER M.P. ROAD DEVELOPMENT
CORPORATION LTD.

VERSUS

GEETA DEVI & ANR.

(IA No.201151/2023-CONDONATION OF DELAY IN FILING and IA No.201149/2023-EXEMPTION FROM FILING O.T.)

Date : 09-10-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s)

Mr. K.M. Nataraj, A.S.G.
Mr. Harmeet Singh Ruprah, AOR
Mr. Vinayak Sharma, Adv.

For Respondent(s)

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

1. Delay condoned.

2. Since, we are not passing any order prejudicial to the interest of the respondents/land owners, the requirement of notice is waived.

3. Shri K.M. Natraj, learned Additional Solicitor General of India, submits that taking into

consideration the astronomical rise in the compensation awarded by the Reference Court, the High Court was not justified in directing the entire amount to be deposited.

4. We, therefore, modify the order of the High Court and substitute it with a direction to deposit 50% of the amount awarded with the Reference Court instead of entire awarded amount. The said 50% amount deposited would be permitted to be withdrawn by the respondents/land owners on furnishing bank guarantee, as directed by the High Court.

5. The special leave petition is, accordingly, disposed of.

6. Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)