

The State Of Madhya Pradesh vs Hiralal & Ors on 15 January, 1996

Equivalent citations: JT 1996 (1), 669 1996 SCALE (1)SP35, AIRONLINE 1996 SC 315, 1996 (7) SCC 523, AIRONLINE 1991 SC 107, (1996) 27 ALL LR 313, (1996) 1 RENT LR 236, (1996) 1 CUR CC 186, (1996) 1 SCR 480, (1996) 1 LAND LR 324, (1996) LACC 252, (1996) 1 JT 669, (1996) JAB LJ 477, (1996) 2 RRR 59, 1996 (7) SCC 178, (1996) 1 JT 669 (SC), 1988 SCC (SUPP) 549, 1992 SCC (L&S) 990, 1992 SCC (SUPP) 3 43, (2005) 2 JT 152 (SC), (2005) 2 SCALE 97, (2005) 2 SUPREME 163, 2005 (3) SCC 15, 2005 SCC (L&S) 339

Author: K. Ramaswamy

Bench: K. Ramaswamy

PETITIONER:
THE STATE OF MADHYA PRADESH

Vs.

RESPONDENT:
HIRALAL & ORS.

DATE OF JUDGMENT: 15/01/1996

BENCH:
RAMASWAMY, K.
BENCH:
RAMASWAMY, K.
G.B. PATTANAIAK (J)

CITATION:
JT 1996 (1) 669 1996 SCALE (1)SP35

ACT:

HEADNOTE:

JUDGMENT:

O R D E R In view of the office report, it would be clear that the respondents obviously managed to

have the notice returned with postal remarks "not available in the house", "House locked" and "shop closed" respectively. In that view, it must be deemed that the notices have been served on the respondents.

Leave granted.

The controversy raised in this case is covered by an order of this Court dated August 2, 1995 made in Civil Appeal arising out of SLP (C) No.9048 of 1988. We have heard the counsel for the appellant and following the judgment passed by this Court, we held that the respondents are not entitled to the benefit of the provisions of Land Acquisition Act, 1894, as amended by Act 68 of 1984. Instead, they are entitled to solatium at 15% and interest at 6% on the enhanced compensation from the date of taking possession till date of deposit.

The appeal is accordingly allowed but, in the circumstances, without costs.