

Supreme Court of India

Special Land Acquisition Officer ... vs Mallanagouda Rayanagouda Patil & ... on 3 August, 1995

Equivalent citations: 1995 SCC (5) 544, 1995 SCALE (4)855

Author: K Ramaswamy

Bench: Ramaswamy, K.

PETITIONER:

SPECIAL LAND ACQUISITION OFFICER & ORS.

Vs.

RESPONDENT:

MALLANAGOUDA RAYANAGOUDA PATIL & ORS.

DATE OF JUDGMENT 03/08/1995

BENCH:

RAMASWAMY, K.

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RAMASWAMY, K.

PARIPOORNAN, K.S. (J)

CITATION:

1995 SCC (5) 544

1995 SCALE (4)855

ACT:

HEADNOTE:

JUDGMENT:

O R D E R Leave granted.

The High Court of Karnataka in the impugned order reversed the award and decree of the Reference Court and modified the same to the extent that the claimants will be entitled to compensation @ Rs. 9, 160/- per acre for the irrigated land and Rs. 8,680/- per acre for dry land, as against the Reference Court's award of sum of Rs. 16,950/- and Rs. 9,975/- respectively, when the matter had come up for admission, since a batch of the matters was then pending, notice was ordered in these matters also and the same was directed to be tagged with them. Since the batch has been disposed of by order dated January 27, 1995 in C.A. arising out of SLP [C] Nos. 11963-70/96, this Court while affirming the compensation awarded by the High Court modified the judgment and decree to the extent of awarding benefits of enhanced solatium and interest under the Amendment Act 68 of 1984. The Court instead granted solatium at 15 per cent and interest at 6 per cent on the enhanced compensation from the date of taking possession till date of payment or deposit, whichever is earlier. In these cases, since the award of the Reference Court itself is of October 23, 1982, i.e., after

the Amendment Act was introduced, the respondents are entitled to the benefits of the enhanced solatium and interest as granted by the High Court.

The appeals are accordingly dismissed. No costs.