

Supreme Court of India

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

Equivalent citations: JT 1996 (1), 669 1996 SCALE (1)SP35

Author: K Ramaswamy

Bench: Ramaswamy, K.

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.