# Legal Case Summary

Case Title: Dinesh vs The State of Madhya Pradesh & Others

Citation: Civil Appeal No(s). of 2024 [Arising out of SLP(Civil) No(s). 28410-28414 of 2023]

Date of Judgment: 15 May 2024

Bench: Justice B.R. Gavai, Justice Satish Chandra Sharma, Justice Sandeep Mehta

Author of Judgment: Justice Sandeep Mehta

## Parties Involved

Appellants: Dinesh and Others

Respondents: State of Madhya Pradesh and Others

## Background / Facts of the Case

The appellants challenged the acquisition of their land under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, for a Multi-Modal Logistics Park under the Bharatmala Project. Their objections under Section 15 were decided not by the Collector but by the SDO, leading to concerns of jurisdiction. The High Court dismissed the writ petitions as infructuous due to the issuance of the final award during pendency.

## Legal Issues Raised

1. Whether the SDO had jurisdiction to decide objections under Section 15 of the Act.

2. Whether the High Court erred in dismissing writ petitions as infructuous.

## Judgment / Decision

The Supreme Court held that the SDO lacked the authority to hear and decide objections under Section 15. Only the Collector, not delegated by the State Government, could decide objections and forward reports to the appropriate Government. This non-compliance invalidated the land acquisition proceedings. The Court also criticized the High Court for dismissing the case without considering the statutory violation.

## Final Order

• Appeals allowed.

• High Court order dated 13 October 2023 quashed 'qua the appellants'.

• Final award dated 3 October 2023 quashed 'qua the appellants’ lands'.

• Authorities to reconsider objections under Section 15 as per law.

## Case Timeline

• 27 May 2022: Section 11 notification issued

• 01 Sep 2022 & 23 Dec 2022: Objections submitted

• 27 Feb 2023: SDO rejected objections

• 03 Mar 2023: Collector endorsed SDO’s report

• 10 Mar 2023: Section 19 declaration published

• 03 Oct 2023: Final award passed

• 13 Oct 2023: High Court dismissed writ petitions

• 15 May 2024: Supreme Court judgment delivered

## Relevant Legal Principles & Precedents

• Sections 15(2) & 15(3) of the Land Acquisition Act, 2013

• Om Prakash v. State of U.P. (2013)

• Union of India v. Mukesh Hans (2004)

• Hindustan Petroleum v. Darius Shapur Chenai (2005)

• Shiv Singh v. State of Himachal Pradesh (2018)

## Key Takeaways

- Objection hearings under Section 15 must be conducted by the Collector.

- SDO lacks jurisdiction unless specially designated by the appropriate Government.

- Statutory non-compliance invalidates land acquisition proceedings.

- Courts must address merits even if procedural steps like final awards are completed.