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C.A.No. 8831-8832 OF 2003

ITEM NO.105

COURT NO.6

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL NOS. 8831-8832 OF 2003

PATAN MUNICIPALITY

APPELLANT (S)

VERSUS

SHAH PRADIPKUMAR KANTILAL & ORS. RESPONDENT(S)
(With office report)

Date: 09/12/2004 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Appellant(s)Mr. Mahendra Anand, Sr.Adv.
Mr. Abhijat P. Medh,Adv.
Mr. Rauf Rahim, Adv.

For Respondent(s)Mr. R.P. Bhatt, Sr.Adv.
Mr. M.A.Chinnasamy,Adv.

Ms. H. Wahi, Adv.

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

Heard learned counsel for the parties for 10 minutes.
The appeals are disposed of with no costs in terms of the signed order.

Sarita (Shelly Sengupta)
Court Master

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 8831-8832 OF 2003

PATAN MUNICIPALITY APPELLANT
VERSUS

SHAH PRADIPKUMAR KANTILAL & ORS. RESPONDENTS

O R D E R

At the hearing, the learned counsel for the parties submitted that the appellant-Patan Municipality has offered one Final Plot No.163 ad-measuring 1320 sq.mtrs. to the respondent No.1 in lieu of his land of Revenue Survey No.81 C.S.No.352 ad-measuring 2172.03 sq.mtrs. pursuant to the Resolution of the Patan Municipality dated 9.2.2004. The respondent No.1 has accepted the offer of alternative plot No.163. The Government of Gujarat has approved the settlement aforementioned between the parties, subject to certain conditions, one of the conditions being the price to be paid by the respondent No.1 for said plot No.163. Learned counsel for respondent No.1 states that appropriate price should be fixed by the Government.
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All that we can say is that the Government may fix the appropriate price of the said plot, after hearing both the parties. In view of this settlement arrived at, it is unnecessary to do further exercise in these appeals.
The civil appeals are, accordingly, disposed of.
No costs.

.....J.
[SHIVARAJ V. PATIL]

.....J.
[B.N. SRIKRISHNA]
New Delhi,
December 09, 2004.