

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 8463-8466 OF 2012

SACHICHIDANAND PRASAD & ORS.

APPELLANTS

VERSUS

GENERAL MANAGER, NATIONAL THERMAL
POWER CORPN. & ANR.

RESPONDENTS

J U D G M E N T

KURIAN, J.

1. The appellants are aggrieved by the land value fixed by the Collector in respect of the land acquired from them for the first respondent. The Collector fixed the land value at the rate of Rs.357/- per decimal.

2. In reference, the Reference Court fixed the land value at the rate of Rs. 1988/- per decimal.

3. The High Court, in appeal, found that the fixation by the Reference Court was wholly erroneous and thus, set aside the award passed by the Reference Court fixing the value at the rate of 1988/- per decimal.

4. Aggrieved by the order passed by the High Court, the appellants are before this Court.

5. On behalf of the respondents, an additional counter affidavit dated 18.02.2016 was given in Court, bringing to the notice of the Court that in the case of several other persons, whose lands have been acquired for the

first respondent, the parties have settled the matter by fixing the land value at the rate of Rs. 480/- per decimal. According to the learned counsel for the appellants, there have been other settlements as well granting higher land value.

6. We dispose of these appeals, in the above circumstances, with the following directions :-

- i) The appellants shall be entitled to have their land value fixed at the rate of Rs.480/- per decimal along with all statutory benefits.
- ii) In case the appellants show, within a period of one month from today, the first respondent that in the case of others who are similarly situated in the vicinity of the appellants, the first respondent has agreed for higher rates, such higher rates shall be granted to the appellants as well along with all statutory benefits. In any case, the needful shall be done and the amounts due to the appellants shall be paid to them within three months from today.

7. In view of the above, the civil appeals are disposed of with no order as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[ROHINTON FALI NARIMAN]

New Delhi;
March 01, 2016.