

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 4078-4079 OF 2016
[@ SPECIAL LEAVE PETITION (C) NOS. 37481-37482 OF 2013]

PARSHOTAM LAL & ANR

Appellant(s)

VERSUS

STATE OF PUNJAB & ORS

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. The issue raised in these appeals pertains to the discretion exercised by the Revisional/Appellate Authority with regard to the percentage of forfeiture on surrender of plots.

3. Having noticed that there is no uniform approach, this Court, by order dated 01.04.2016, directed the respondents to get instruction as to why a similar treatment, as in Annexure P6, be not granted to the appellants as well.

4. The learned counsel appearing for the respondents rightly submits that there cannot be a uniform standard because the factual position may vary from case to case and that has a bearing on the percentage

of the forfeiture. It is also pointed out that the entire exercise is carried out only as per the provisions under the Statute.

5. We have no quarrel with the submissions. However, having regard to the peculiar facts and circumstances of these cases, we are of the view that the interest of justice would be met if a direction is issued to have a similar treatment, as in Annexure P6, to the appellants herein as well. Ordered accordingly.

6. The appeals are, accordingly, allowed with a direction that the percentage of forfeiture in the case of the appellants herein shall be reduced to 2%.

7. We make it clear that the above order is in the peculiar facts and circumstances of these cases and may not be treated as a precedent.

No costs.

.....J.
[KURIAN JOSEPH]

.....J.
[R. BANUMATHI]

New Delhi;
April 18, 2016.