

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.970-975 OF 2009

BANGALORE DEVELOPMENT AUTHORITY ... APPELLANT(S)

VS.

D.N. GOPALAKRISHNA REDDY ... RESPONDENT(S)

J U D G M E N T

Anil R.Dave, J.

1. Heard the learned counsel for the parties.
2. It is an admitted fact that there is a constructed house on an area admeasuring 40'x 60'.
3. So far as the remaining land is concerned, there appears to be some dispute whether possession of the said remaining land has been taken by the appellant and as to whether compensation in respect of the entire land is paid and its legal effect.
4. In these circumstances, we set aside the impugned judgment and remit the matters to the High Court so that the High Court, after hearing the learned counsel for the parties and after considering the present position of the land in question, can decide the matter afresh in accordance with law.

5. The parties shall appear before the High Court on 14th March, 2016 so that the High Court can fix the date on which the matter can be finally disposed of.

6. The parties shall maintain status quo till the High Court passes any further order.

7. In view of the above, the civil appeals are disposed of as allowed. No order as to costs. Pending application, if any, stands disposed of.

.....J.
[ANIL R. DAVE]

.....J.
[ADARSH KUMAR GOEL]

New Delhi;
9th February, 2016.



JUDGMENT