

NON-REPORTABLEIN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTIONCIVIL APPEAL NO. 10200 OF 2017  
[ @ SPECIAL LEAVE PETITION (C) NO. 1273 OF 2016 ]M.P. HOUSING BOARD (NOW KNOWN AS M.P HOUSING  
AND INFRASTRUCTURE DEVELOPMENT BOARD)  
AND ORS.

Appellants (s)

VERSUS

PURUSHOTTAM LAL AND ORS.

Respondent (s)

J U D G M E N TKURIAN, J.

1. Leave granted.

2. This litigation has a chequered history. However, in the larger interest of the parties, we are happy to note that the entire disputes have been given a quietus in a court-involved settlement.

3. The Land Acquisition proceedings were initiated issuing Section 4(1) Notification at the instance of the Madhya Pradesh State Housing Board in the year 1996. According to the Housing Board, they had deposited the entire compensation with the Land Acquisition Collector. But it is not in dispute that the compensation has not been paid to the land owners. In view of the introduction of The Right to

Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (in short, "2013 Act") with effect from 01.01.2014, the acquisition proceedings lapsed, though possession had been taken by the Board, and partly developed also. The respondents had approached the High Court with regard to certain disputes on compensation and only fortuitously, they got the declaration on lapse.

4. On a direction issued by this Court, the State Government has filed a report indicating that the compensation in terms of the acquisition proceedings is only around Rs.33 Lakhs. But since the acquisition has lapsed, the owners would have to be awarded the compensation under the 2013 Act in case the Board still needs the land. The market value is Rs.24 Crores and odd, as in 2017-2018, as is reported by the State.

5. One offer given was that though the land owners are entitled to 100% solatium in terms of Section 48, they are prepared in larger public interest to forgo the solatium in case they get four housing plots. The learned senior counsel appearing for the Housing Board submits that since the Housing Board has to plan the housing for the purpose of weaker sections,

it will be in the interest of both sides not to allot houses to the land owners and, therefore, it is suggested that the compensation in terms of the value of the plots given also be added and the whole thing could be finished in one go. Having regard to the peculiar facts of this case, the learned counsel on both sides, on instruction, requested the court to settle the whole disputes by fixing an appropriate amount. Having regard to the large extent of land, we are of the view that the entire compensation be fixed at Rs. 27.50 Lakhs. The suggestion has been fairly accepted by both sides. Therefore, the entire claims in respect of the land of the respondents will be settled by the Housing Board by paying Rs.27,50,00,000/- (Rupees Twenty Seven Crores and Fifty Lakhs) by way of a one-time compensation.

6. We make it clear that this is in full and final settlement of all the claims and there shall be no further claims. The above amount shall be paid to the respondents within a period of two months from today. It is made clear that in case the amount is not paid within two months, the same shall accrue interest at the rate of 18% p.a. and the officers responsible for the delay shall be personally liable for the same.

7. With the above observations and directions, this appeal is disposed of.

No costs.

.....J.  
[ KURIAN JOSEPH ]

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

New Delhi;  
August 04, 2017.

ITEM NO.58

COURT NO.5

SECTION IV-A

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

Petition(s) for Special Leave to Appeal (C) No(s). 1273/2016  
(Arising out of impugned final judgment and order dated 15-10-2015  
in WA No. 305/2007 passed by the High Court Of M.P. At Jabalpur)

M.P. HOUSING BOARD

(NOW KNOWN AS M.P HOUSING AND

INFRASTRUCTURE DEVELOPMENT BOARD) AND ORS.

Petitioner(s)

VERSUS

PURUSHOTTAM LAL AND ORS.

Respondent(s)

(PERMISSION TO FILE ANNEXURES]

Date : 04-08-2017 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH

HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. Sunil Gupta, Sr. Adv.  
Mr. Pramod Dayal, AOR  
Mr. Nikunj Dayal, Adv.  
Ms. Payal Dayal, Adv.

For Respondent(s) Mr. Purushaindra Kaurav, Adv.  
Mr. Mishra Saurabh, AOR  
Mr. Ankit Kumar Lal, Adv.  
Ms. Vanshaja Shukla, Adv.

Mr. Varun K. Chopra, Adv.  
Mr. Sunny Choudhary, AOR

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The appeal is disposed of in terms of the signed  
non-reportable Judgment

Pending interlocutory applications, if any, stand disposed of.

(JAYANT KUMAR ARORA)  
COURT MASTER

(RENU DIWAN)  
ASSISTANT REGISTRAR

(Signed non-reportable Judgment is placed on the file)