UNION OF INDIA AND ANR. A

v.

SHRI RISAL SINGH

APRIL 29, 1997

[K. RAMASWAMY, S. SAGHIR AHMAD AND G.B. PATTANAIK, JJ.] B

Land Acquisition Act, 1894 :

Compensation—Enhanced by reference court—High Court disposed of all appeals by a common judgment—Appeal by Union of India to Supreme Court in one matter to reduce compensation—Held, appeals having been allowed to become final, question of reducing the compensation need not be gone into—Appeal dismissed with liberty to file review if it is pointed out that appeals have been filed against rest of the matters. C

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CIVIL APPELLATE JURISDICTION : Civil Appeal No. 3572 of 1997.

From the Judgment and Order dated 30.10.91 of the Delhi High Court in R.F.A. No. 203 of 1991.

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K. Lahiri, Y.P. Mahajan and S.N. Terdol for the Appellants.

A.B. Rohtagi, A. Mariarputham, Vinode Yadav and Aruna Mathur for the Respondent.

The following Order of the Court was delivered : F

Delay condoned.

Leave granted.

This appeal by special leave arises from the judgment of Delhi High Court, made on October 30, 1991 in RFA No. 203/91. G

Notification under Section 4(1) of the Land Acquisition Act, 1984 (for short, the 'Act') was published on 27.7.1984 for acquiring the lands for development of the Delhi city. The Land Acquisition Officer awarded compensation at the rate of Rs. 17,000 and Rs. 14,000 per Bigha. On H

A reference, the Civil Court enhanced the compensation to Rs. 20,000 and Rs. 25,000 per Bigha. On appeal, by a common judgment, the High Court had disposed of as many as 161 appeals. We are informed that against one of the judgment from that batch, Appeal No. 871/95 was filed and this Court has dismissed the SLP on the ground of delay as well as on merits. When we asked the learned counsel for the appellants to give the number
B of cases, though the case was adjourned from time to time, they have not been able to give any number to be tagged with this appeal for disposal. In that view of the matter, as many as 161, which we take it for the time being as 159 appeals, against the judgment, appeals have been allowed to become final; as one appeal has been dismissed by this Court solitarily, we
C decline to go into and examine the merits in the matter for reducing the compensation. Under these circumstances, we are constrained to dismiss this appeal. In case the appellants are able to point out at a later date that the appeals have been filed against the rest of 159 appeals, liberty is given to them to file an application for review in this appeal and it should be
D considered accordingly.

The appeal is accordingly dismissed with the above directions. No costs.

R.P. Appeal dismissed.