

A SPECIAL LAND ACQUISITION OFFICER AND ORS.  
v.  
MALLANAGOUDA RAYANAGOUDA PATIL AND ORS.

AUGUST 3, 1995

B [K. RAMASWAMY AND K.S. PARIPOORNAN, JJ.]

*Land Acquisition Act, 1894 :*

C *Compensation—Award of—Solatium and interest on enhanced compensation—Held entitled to since the award was made after the Amendment Act 68 of 1984—Was introduced.*

D These appeals challenged the order of the Karnataka High Court reversing the award and decree of the Reference Court and modifying the same to the extent that the claimants will be entitled to compensation @Rs. 9,160 per acre for the irrigated land and Rs. 8,680 per acre for dry land, as against the Reference Court's award of sum of Rs. 16,950 and Rs. 9,975 respectively.

Dismissing the appeals, this Court

E HELD : The batch of appeals has been disposed of by order dated January 27, 1995 granting solatium at 15 percent and interest at 6 per cent on the enhanced compensation from the date of taking possession till date of payment or deposit, whichever is earlier. In these cases, since the award of the Reference Court itself is of October 23, 1982, i.e. after the Amendment Act was introduced, the respondents are entitled to the benefits of the enhanced solatium and interest as granted by the High Court. [495-C-D]

F CIVIL APPELLATE JURISDICTION : Civil Appeal Nos. 7402-7408 of 1995.

G From the Judgment and Order dated 11.12.85 of the Karnataka High Court in M.F.A.Nos. 1240, 1241, 1244-48/83.

M. Veerappa for the Appellant.

The following Order of the Court was delivered :

H Leave granted.

The High Court of Karnataka in the impugned order reversed the award and decree of the Reference Court and modified the same to the extent that the claimants will be entitled to compensation @Rs. 9,160 per acre for the irrigated land and Rs. 8,680 per acre for dry land, as against the Reference Court's award of sum of Rs. 16,950 and Rs. 9,975 respectively, when the matter had come up for admission, since a batch of the matters was then pending, notice was ordered in these matters also and the same was directed to be tagged with them. Since the batch has been disposed of by order dated January 27, 1995 in C.A. arising out of SLP (C) Nos. 11963-70/96, this Court while affirming the compensation awarded by the High Court modified the judgment and decree to the extent of awarding benefits of enhanced solatium and interest under the Amendment Act 68 of 1984. The Court instead granted solatium at 15 per cent and interest at 6 per cent on the enhanced compensation from the date of taking possession till dated of payment or deposit, whichever is earlier. In these cases, since the award of the Reference Court itself is of October 23, 1982, i.e., after the Amendment Act was introduced, the respondents are entitled to the benefits of the enhanced solatium and interest as granted by the High Court.

The appeals are accordingly dismissed. No costs.

G.N.

Appeals dismissed.