

A

STATE OF KERALA
v.
M.M. ABDUL KHADER

DECEMBER 15, 1995

B

[K. RAMASWAMY AND B.L. HANSARIA, JJ.]

Land Acquisition Act, 1894.

C

S. 23(1-A)—Award of Collector being dated 21.4.1980—Claimants not entitled to benefits under the section.

The State Government filed appeal against the judgment of the High Court allowing the claimants, the benefits of s. 23(1-A) of Land Acquisition Act, 1894.

D

Allowing the appeal, this Court

HELD : Since the award of the Collector is of April, 21, 1980, the claimants are not entitled to the additional amount under s. 23 (1-A) of the Land Acquisition Act, 1894. [785-C]

E

CIVIL APPELLATE JURISDICTION : Civil Appeal No. 12120 of 1995.

From the Judgment and Order dated 28.1.93 of the Kerala High Court in L.A.A. No. 244 of 1988.

F

M.T. George for the Appellants.

N. Sudahakaran for the Respondents.

The following Order of the Court was delivered :

G

Leave granted.

The only controversy is as regards the entitlement of the respondents to the additional amount under Section 23(1-A) of the Land Acquisition Act, 1894. Since the award of the Collector is of June 4, 1979, the claimants are not entitled to the additional amount under Section 23(1-A) of the said

H Act.

The appeal is accordingly allowed to the above extent. The Order of the High Court is set aside. No costs. A

C.A. No. 12121 of 1995

Leave granted.

The only controversy with which we are concerned in this appeal is as regards the entitlement of the respondents to the additional amount under Section 23(1-A) of the Land Acquisition Act, 1894. Since the award of the Collector is of April 21, 1980, the claimants are not entitled to the additional amount under Section 23(1-A) of the said Act. B

The appeal is accordingly allowed to the above extent. The order of the High Court is set aside. No costs. C

R.P.

Appeals allowed.