

M/S NATIONAL ALUMINIUM CO. LTD.
v.
RAJ KISHORE @ SAHU JENA AND ANR.

JANUARY 9, 1996

[K. RAMASWAMY AND G.B. PATTANAIK, JJ.]

Land Acquisition Act, 1894 :

*Compensation and other benefits—Held, covered by earlier decision—
Party being beneficiary entitled to be impleaded in the pending proceedings
before the Sub-Judge.*

*U.P. Avas Evam Vikas Parishad v. Gyan Devi (Dead) by Lrs. & Ors., JT
(1994) 7 SC 304, held applicable.*

CIVIL APPELLATE JURISDICTION : Civil Appeal No. 2239 of 1996.

From the Judgment and Order dated 11.3.93 of the Orissa High Court
in C.R. No. 72 of 1992.

Ashok Kr. Gupta for the Appellant.

Ms. Kirti Misra for the Respondents

The following Order of the Court was delivered :

Leave granted.

Though notice was served on the respondents, no one has appeared for the first respondent-claimant. The controversy is no longer *res-integra*. They are covered by the judgment of this Court in *U.P. Avas Evam Vikas Parishad v. Gyan Devi (Dead) by Lrs. & Ors.*, JT (1994) 7 SC 304. In that view, the appellant being beneficiary is entitled to be impleaded as a party in the pending proceedings in the court of Subordinate Judge, Angul.

The appeal is accordingly allowed. No costs.

Appeal allowed.