

Erinti Seethayya and Others

Vs

Revenue Divisional Officer and Others

Civil Appeal No. 2223 of 1969

(R. S. Sarkaria, O. Chinnappa Reddy JJ)

05.02.1979

JUDGMENT

CHINNAPPA REDDY, J. –

The question in this appeal is about the compensation to be awarded for the land belonging to the appellant which was acquired by the Government pursuant to a notification dated March 17, 1960 under Section 4(1) of the Land Acquisition Act. The Land Acquisition Officer awarded compensation at the rate of Rs. 12 per cent of land. This was confirmed by the learned Subordinate Judge, Anantapur, on a reference under Section 18 of the Land Acquisition Act. On appeal the High Court of Andhra Pradesh enhanced the compensation to Rs. 25 per cent after deducting an extent of 2 acres 69 cents of land from the total extent acquired. Shri Vepa P. Sarathi, learned counsel for the appellant argued that compensation was awarded at the rate of Rs. 26 per cent in regard to land in the adjoining Ramnagar Colony which was acquired in the year 1952 and that having regard to the upward trend of prices, higher compensation should have been awarded for the land which was acquired in 1960. He also urged that the High Court was wrong in brushing aside the documents filed on behalf of the appellant on the mere ground that they related to small plots of land. We have gone through the judgment of the High court and we do not think that the appeal raises any question of principle which alone will justify any interference with the decision of the High Court. In regard to the Ramnagar land, the High Court has pointed out that the present acquired land is by far inferior to that land as that was level ground whereas the present acquired land is uneven, with small boulders here and there and a big mound in about half an acre of land. In regard to the sale deeds filed by the appellant the High Court has pointed out that they related to small extents of land, within the Municipal limits and better situated than the present acquired land. No error of principle has been committed by the High Court. The appeal is therefore, dismissed but in the circumstances without costs.

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