

Durga Prasad Tewari and Others

Vs

U. P. Avas Evam Vikas Parishad and Others

Civil Miscellaneous Petition Nos. 4092-94 of 1988

(Ranganath Misra, M.M. Dutt JJ)

16.02.1988

(Record of proceedings)

ORDER

1. Heard learned counsel for the parties. This is an application by the U.P. State Electricity Board for permission to erect towers for placing electric lines for drawing of electricity on the land of the petitioners. The land is already under acquisition by the U.P. Avas Vikas Parishad. But that acquisition is under dispute in the special leave petition and there is an order of stay.

2. Mrs. Shobha Dikshit for the Electricity Board does not dispute the right of the petitioners to be compensated for the land over which construction is to be raised and in regard to the crops to the extent of damage. The owners will be entitled to one set of compensation for the land. In case the acquisition which has already been undertaken is upheld, the owners would not be entitled to any compensation for the land from the Electricity Board and in case the challenge is accepted and the acquisition fails, the Electricity Board undertakes to pay the compensation. Mrs. Dikshit has undertaken before us that compensation for the crops will be paid within four weeks. The order of stay passed by this Court is modified to the extent as indicated above, and the civil miscellaneous petition is disposed of accordingly.

Court Master

</html