

Ram Prakash Gupta

Vs

Town Improvement Trust, Bhopal

Civil Appeal No. 1283 Of 1981

(G. L. Oza, K. N. Saikia JJ)

03.03.1989

JUDGMENT

K. N. SAIKIA, J. –

1. This appeal by special leave is from the judgment order dated October 7, 1980 of the Madhya Pradesh High Court against the award dated November 25, 1972 in Reference No. 1 of 1970. The Compensation Tribunal awarded compensation at rate of Rs. 950 per acre, which worked out at Rs. 12,604, and 15 per cent solatium for compulsory acquisition which amounted to Rs. 1896.70. The total compensation, therefore, was Rs. 14,541.20. The High Court fixed the market value of the entire land at Rs. 9000 per acre. For the reasons given in our judgment in Civil Appeal No. 2931(N) of 1981 we enhance the compensation by one-sixth to Rs. 10,500 per acre. We maintain 15 per cent for compulsory acquisition but raise interest to 9 per cent on the enhanced compensation from today till payment. We leave it open for the appellant to move for higher interest and solatium if entitled by virtue of subsequent pronouncement of this Court in any.

2. In the result, this appeal is allowed as above. We make no order as to costs.

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