

State of Kerala

Vs

George Joseph

Civil Appeals Nos. 3649-50 of 1996

(K. Ramaswamy, G. B. Pattanaik JJ)

12.02.1996

ORDER

1. Though notice was issued to the respondent, no unserved acknowledgment has been received so far. Therefore, notice must be deemed to have been served on the respondent.
2. Leave granted.
3. The point in the case is no longer res integra. The award of the Collector is dated 27-3-1981 and the notification under Section 4(1) of the Land Acquisition Act, 1894 is of 26-9-1978. Therefore, the respondent is not entitled to the payment of the additional amount under Section 23(1-A) of that Act.
4. The appeals are accordingly allowed. The award to the above extent is set aside. No costs.