

Natwarbhai Magainbhai Patel

Vs

Collector and Others

Civil Appeal No. ... of 1996 (from the Judgment and Order Dated 15-5-1995 of The Gujarat High Court In S.C.A. No. 4093 of 1995) (Cc No. 2297 of 1996)

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

10.05.1996

ORDER

1. Delay condoned.

2. Counsel for the petitioner admits that a notification under Section 10(5) of the Urban Ceiling Act was published pursuant to which the excess vacant land was surrendered and taken possession of by the Government. Consequently, the land stands vested in the State free from all the encumbrances. In what manner the lands require to be utilised has been regulated under the provisions of the Act. It is not a condition, under the Act, that payment of compensation be made before utilisation of the land of which the petitioner was an erstwhile owner. Under these circumstances, we do not find any illegality in the order passed by the High Court in Special Civil Appeal No. 4093 of 1993 on 15-5-1995.

3. The special leave petition is accordingly dismissed.