

Union of India and Another

v.

Tek Chand and Others

(Supreme Court Of India)

HON'BLE JUSTICE S. P. BHARUCHA HON'BLE JUSTICE V. N. KHARE

Civil Appeals No. 3525 of 1983 with No. 6011 of 1983 | 05-01-1999

1. We have heard learned counsel and are satisfied that the view taken by the High Court is correct. We may point out that the judgment of the Delhi High Court in the case of *Raj Singh v. Union of India* 1973 AIR(Del) 169), followed therein has been approved by this Court in the case of *Union of India v. Harish Chand Anand* 1995 SC 2007) though it must be said that the issue before this Court was much narrower than that before the Delhi High Court. In any event, we find that the view taken by the Delhi High Court is the appropriate view in the circumstances and we do not approve of the contrary view taken by the Himachal Pradesh High Court in *Durga Dass Sud v. Union of India* 1972 AIR(HP) 26). This would dispose of the appeal by the grantee

2. So far as the appeal by the Union of India against the same judgment is concerned, we find no reason to interfere with the directions given in the individual case to hear the grantee on the aspect of the compensation

3. The appeals are dismissed. No order as to costs.