

SUPREME COURT OF INDIA

Bheemunipatnam Coop. Buld. Society Ltd.

Vs.

State of A.P.

C.A.No.5095 of 2005

(Tarun Chatterjee and Dr.B.S.Chauhan JJ.)

22.10.2009

ORDER

1. On a careful perusal of the record of the present appeal, we find that an order was passed by this Court th on 26 of February, 2009 stating therein that the appellant was willing to accept the terms and th conditions stipulated in the Government order dated 4 of February, 1996 (communicated as per letter dated th 12 of July, 1996) for allotment of land, which was challenged by the appellant in the High Court of Andhra Pradesh at Hyderabad and after dismissal of the same before this Court, it was heard by us in presence of the learned counsel for the parties.

2. Since the appellant has also accepted the terms and conditions imposed in the Government order under challenge for allotment, the only question that remains to be seen is the valuation of the land in question in the year 1996. A report on behalf of the appellant has already been submitted, which was drawn to our attention by Mr. M.N. Rao, learned senior counsel appearing on behalf of the appellant. The valuation of the land in question has been indicated in the said report and such valuation, as indicated in the report, has not been objected to by the respondent/State of Andhra Pradesh.

3. In view of the fact that the terms and conditions th stipulated in the Government order dated 4 of February, 1996 have been accepted by the appellant before us and the respondent, through their learned counsel, have also not raised any objection on the valuation already indicated in the report submitted by the appellant, we dispose of this appeal by directing the State/respondents to allot the land in question after determining the valuation of land in question on the basis of such valuation report and on payment/deposit of such amount by the appellants to the respondents, the respondents shall allot the land in question within three months from the date of deposit of the said amount with the State/respondents.

4. With the above directions, this appeal is disposed of.

There will be no order as to costs.