

SUPREME COURT OF INDIA

Ira Basu Chowdhury & Ors.

Vs.

Calcutta Metropolitan Dev.Auth. & Ors.

C.A.No.2148 of 2006

(Kurain Joseph and R.F.Nariman, JJ.)

20.01.2016

JUDGMENT

Kurian Joseph, J.

1. The appellants are essentially aggrieved by the interference made by the High Court on the land value fixed by the Reference Court on the ground that the Requisitioning Authority was not put to notice while the Reference Court fixed the land value. Mr. Jaideep Gupta, learned senior counsel appearing for the appellants, has invited our attention that in any case, the Requisitioning Authority may not have any difficulty in accepting the land value at the rate of Rs. 10,000/- per cottah, since the said value has been accepted by the first respondent in LRA Case No. 363/93(v) in respect of the adjoining land.

2. In our opinion, this is certainly a matter for the Reference Court to consider while disposing of the case as per the direction issued by the High Court in the impugned Judgment.

3. In order to avoid further delay, we direct the parties to appear before the Reference Court on 15.02.2016.

4. In view of the above, this civil appeal is disposed of with a direction to the Reference Court to dispose of the reference in accordance with law within a period of two months from the date mentioned above.

5. There shall be no order as to costs.