

SUPREME COURT OF INDIA

Shobha Singh

Vs.

National Thermal Power Corp.& Anr.

C.A.No.6305-6306 of 2011

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

17.02.2016

JUDGMENT

Kurian Joseph, J.

1. The appellant is aggrieved by the land value fixed by the Collector in respect of the land acquired from her for the first respondent. The Collector fixed the land value at the rate of Rs. 242 per decimal.

2. In reference, the Reference Court fixed the land value at the rate of Rs. 6,000 per decimal.

3. The High Court, in appeal, found that the fixation by the Reference Court was wholly erroneous and thus, set aside the award passed by the Reference Court fixing the value at the rate of 6000 per decimal.

4. Aggrieved by the order passed by the High Court, the appellant is before this Court.

5. On behalf of the respondents, an additional counter affidavit dated 10.02.2016 was given in Court, bringing to the notice of the Court that in the case of several other persons, whose lands have been acquired for the first respondent, the parties have settled the matter by fixing the land value at the rate of Rs. 480 per decimal. According to the learned counsel for the appellant, there have been other settlements as well granting higher land value.

6. We dispose of this appeal, in the above circumstances, with the following directions:-

“i) The appellant shall be entitled to have his land value fixed at the rate of Rs. 480 per decimal along with all statutory benefits.

ii) In case the appellant shows, within a period of one month from today, the first respondent that in the case of others who are similarly situated in the vicinity of the appellant, the first respondent has agreed for higher rates, such higher rates shall be granted to the appellant as well along with all statutory benefits. In any case, the

needful shall be done and the amounts due to the appellant shall be paid to her within three months from today.”

7. In view of the above, the civil appeals are disposed of with no order as to costs.