

ITEM NO.18 Court 4 (Video Conferencing)

Revised
SECTION IV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 21501/2020

(Arising out of impugned final judgment and order dated 14-10-2019 in MFA No. 6082/2019 passed by the High Court Of Karnataka At Bengaluru)

B.A. INDIRAMMA

Petitioner(s)

VERSUS

BANGALORE METRO RAIL CORPORATION LIMITED
(BMRCL) & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.103890/2020-CONDONATION OF DELAY IN FILING and IA No.103891/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.103893/2020-EXEMPTION FROM FILING O.T. and IA No.103896/2020-EXEMPTION FROM FILING AFFIDAVIT)

WITH

SLP(C) No. 12413/2020 (IV-A)

(FOR ADMISSION and I.R. and IA No.106209/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.106210/2020-EXEMPTION FROM FILING O.T. and IA No.106213/2020-EXEMPTION FROM FILING AFFIDAVIT)

Date : 28-10-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Mr. Sudhanshu S. Choudhari, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

Mr. Sudhanshu S. Choudhari, learned advocate appearing for

the petitioner submits that the orders passed by this Court in Civil Appeal Nos.945-957 of 2019 [Mir Jawadali Mir Akbarali, etc. vs. The State of Maharashtra & Ors.] and in Civil Appeal No. 2717 of 2020 [Uddhav Dadarao Patil vs. State of Maharashtra & Ors.] and certain other orders were relied upon before the High Court in support of the submission that the Acquiring Authority be directed to deposit the entire amount constituting the difference between the original sum awarded by the Land Acquisition Officer and the enhancement reflected as a result of the orders passed by the Reference Court; and the petitioner be permitted to withdraw the balance amount on furnishing adequate security to the satisfaction of the Reference Court.

According to the learned counsel, the orders passed by this Court were not taken note of while passing the order under challenge.

In the circumstances, we give liberty to the petitioner to file an appropriate application before the High Court. If such application is filed, the same shall be considered purely on its own merits.

The SLPs are dismissed accordingly.

Pending applications, if any, shall stand disposed of.

(INDU MARWAH)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)