

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5309 OF 2019

(Arising out of S.L.P.(C) No.15750/2019 @ Diary No.21726/2019)

Krishna Das

Appellant(s)

Versus

State of U.P. and Others

Respondent(s)

W I T H

CIVIL APPEAL NO.5310 OF 2019

(Arising out of S.L.P.(C) No.14242/2019)

O R D E R

Leave granted.

As the contesting parties are represented, the matter is being heard.

Learned counsel appearing for the appellants at the outset has submitted that the challenge in the present appeals is not against the order of demolition, but is merely with regard to the compensation payable. Learned counsel submits that for the shops of same area i.e.80 sq.ft., higher compensaion has been awarded to other allottees/licensees, whereas in the case of the appellants, the amount offered is Rs.7,50,000/-. The said statement is disputed by Shri V. Shekhar, learned senior counsel appearing for the respondent-State, who submits that the compensation is payable as per the policy in force and for the area of the shops in question, the amount payable as compensation under

the policy is Rs.7,50,000/-. Shri Shekhar has further submitted that the same amount of compensation has been paid and received by other allottees/licensees, whose shops are similar in area as that of the appellants herein.

We are not inclined to go into the aforesaid question as a dispute has been raised over the same. However, we close these appeals with the direction that the appellants may receive the amount of compensation awarded i.e. Rs.7,50,000/-, with liberty to seek further compensation if the same is due to them in accordance with law before such forum, as they may be advised.

With the aforesaid observation, the appeals stand disposed of.

.....CJI.
[Ranjan Gogoi]

.....J.
[Deepak Gupta]

.....J.
[Aniruddha Bose]

New Delhi
July 09, 2019.

ITEM NO.5

COURT NO.1

SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No.21726/2019

(Arising out of impugned final judgment and order dated 22-05-2019 in WC No. 12876/2019 passed by the High Court of Judicature at Allahabad)

KRISHNA DAS

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(With appln.(s) for exemption from filing c/c of the impugned judgment, exemption from filing O.T. and permission to file SLP and interim relief)

WITH S.L.P.(C) No.14242/2019 (XI)

(With appln.(s) for exemption from filing c/c of the impugned judgment, exemption from filing O.T. and interim relief)

Date : 09-07-2019 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE DEEPAK GUPTA
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. K.L. Janjani, Adv.
Mr. Pankaj Kumar Singh, Adv.
Mr. Raj Singh Rana, AOR

For Respondent(s) Mr. V. Shekhar, Sr. Adv.
Ms. Aishwarya Bhati, Sr. Adv.
Mr. Raghvendra Singh, Adv.
Mr. M.C. Chaturvedi, Adv.
Mr. Rajeev Kumar Dubey, Adv.
Mr. Vineet Sankalp, Adv.

Mr. Kamlendra Mishra, Adv.

Mr. Manish Shanker Srivastava, Adv.

Ms. Kalpana, Adv.

Mr. Yasharth Kant, Adv.

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

Permission to file the special leave petition is
granted.

Leave granted.

The appeals are disposed of in terms of the signed
order.

Pending application(s), if any, stand disposed of.

(Chetan Kumar)
A.R.-cum-P.S.

(Anand Prakash)
Court Master

(Signed order is placed on the file)