

ITEM NO.17

COURT NO.9

SECTION XVI

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

Petition(s) for Special Leave to Appeal (C) No(s). 16734/2019

(Arising out of impugned final judgment and order dated 02-04-2019  
in LPA No. 136/2018 passed by the High Court Of Judicature At  
Patna)

THE STATE OF BIHAR &amp; ORS.

Petitioner(s)

VERSUS

SIHASAN PRASAD &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.104147/2019-EXEMPTION FROM FILING  
O.T. )

Date : 22-07-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE MR. JUSTICE DINESH MAHESHWARIFor Petitioner(s) Mr. P.S. Patwalia, Sr. Adv.  
Mr. Manish Kumar, Adv.  
Mr. Gopal Singh, AOR  
Mr. Udian Sharma, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E RApplication for exemption from filing official  
translation is allowed.We are not inclined to interfere in this  
special leave petition.However, we clarify the position stated in  
paragraph 21 of the impugned order to mean that the  
compensation should be determined on the basis of  
notification issued under Section 4 of the Land

Acquisition Act, 1894 as on 31<sup>st</sup> March, 2011, in light of proviso to Section 26(1) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

If the respondent(s) have any objection to this clarification, they are free to file appropriate application, which will be considered on its own merits in accordance with law.

The special leave petition is accordingly disposed of.

(NEETU KHAJURIA)  
COURT MASTER

(VIDYA NEGI)  
COURT MASTER