

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 560 OF 2020
(Arising out of SLP(C) No. 2269 OF 2020)
(Diary No. 27066 of 2019)

LORD MAHADEV TRUST

Appellant(s)

VERSUS

STATE OF UTTARAKHAND & ORS.

Respondent(s)

O R D E R

Delay condoned.

Leave granted.

Heard learned counsel for the parties.

In the peculiar facts of the present case, we are inclined to modify the operative order passed by the High Court only to the extent that the appellant would be entitled for interest on the enhanced compensation amount, if any.

In other words, the acquiring body will not be liable to pay any interest on the amount already deposited (in treasury) pursuant to award. The appellant would be entitled to withdraw the amount so deposited along with accrued interest thereon, if any.

No further clarification is required.

We reiterate that this arrangement is in the peculiar facts of the present case and cannot be treated as precedent.

The appeal is partly allowed in the above terms.

Pending applications, if any, stand disposed of.

.....J
(A.M. KHANWILKAR)

.....J
(HEMANT GUPTA)

.....J
(DINESH MAHESHWARI)

New Delhi
January 22, 2020

ITEM NO.3

COURT NO.7

SECTION X

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). 27066/2019

(Arising out of impugned final judgment and order dated 08-01-2019 in SPA No. 88/2012 passed by the High Court Of Uttarakhand At Nainital)

LORD MAHADEV TRUST

Petitioner(s)

VERSUS

STATE OF UTTARAKHAND & ORS.

Respondent(s)

(IA No. 130158/2019 - CONDONATION OF DELAY IN FILING)

Date : 22-01-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s)

Mr. Sanjay Hegde, Sr. Adv.
Mr. Sanjay Rastogi, AOR
Mr. Aman Rastogi, Adv.
Mr. Dhruv, Adv.
Mr. Raghav Mathur, Adv.
Mr. Kuunal Bakshi, Adv.

For Respondent(s)

Mr. Virendra Rawat, DAG, Adv.
Mr. Sudarshan Singh Rawat, AOR

UPON hearing the counsel the Court made the following

O R D E R

Delay condoned.

Leave granted.

The appeal is partly allowed in terms of the signed order.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)

[Signed order is placed on the file]