

ITEM NO.47

COURT NO.4

SECTION IVA

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). 35204/2014
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 23/04/2014
IN WA NO. 4798/2010 PASSED BY THE HIGH COURT OF KARNATAKA AT
BANGALORE)

THE SPECIAL LAND ACQUISITION
OFFICER KIADB, BANGALORE

PETITIONER(S)

VERSUS

RAMAIAH AND ORS
(INTERIM RELIEF AND OFFICE REPORT)

RESPONDENT(S)

Date : 13/02/2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s)

Ms. Kiran Suri, Sr. Adv.
Mr. S.J. Amith, Adv.
Dr. (Mrs.) Vipin Gupta, Adv.

For Respondent(s)

Mr. S. N. Bhat, Adv.

Mr. Rajesh Srivastava, Adv.
Mr. Abhishek Yadav, Adv.
Ms. Suresh Kumari, Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed
order.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2509 OF 2017
[Arising out of Special Leave Petition
(Civil) No.35204/2014]

THE SPECIAL LAND ACQUISITION
OFFICER KIADB, BANGALORE . . . APPELLANT

VERSUS

RAMAIAH AND ORS. . . RESPONDENTS

ORDER

1. Leave granted.
2. We have heard the learned counsels for the parties. None has appeared on behalf of respondent No.5 in spite of due service of notice.
3. The respondent No.6 has appeared in Court and filed an application stating that he has already deposited an amount of Rs.62 lakh being his share of the total amount of Rs.1,24,00,000/- (Rupees One crore Twenty Four lakh) ordered by the High Court to be deposited by the respondent Nos. 5 and 6

(respondent No.3 and 4 before the High Court). The aforesaid respondent No.6, however, in the application filed, has prayed for interference of the Court with the requirement of payment of interest, etc. on the aforesaid amount which application has since been dismissed.

4. In the above circumstances and taking into account the totality of the facts of the case we are of the view that insofar as deposit of the balance amount out of Rs.1,24,00,000/- (Rupees One crore Twenty Four lakh) payable by the respondent No.5 in terms of the order of the High Court is concerned, the appellant should be entitled to recover the said amount from the respondent No.5 in accordance with law, including, by treating the said amount to be an arrear of land revenue. The appellant will also be entitled to recover all further dues payable by the respondent No.6

on account of interest etc. in the same manner.

5. The Reference Court who is in seisin of the matter under reference under Section 30 and 31 of the Land Acquisition Act, 1894 as directed by the High Court by the impugned order shall expedite the hearing of the same.

6. The appeal is disposed of in the above terms.

.....,J.
(RANJAN GOGOI)

.....,J.
(ASHOK BHUSHAN)

NEW DELHI
FEBRUARY 13, 2017