

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION NOS. 1761-1762 OF 2020

IN

CIVIL APPEAL NOS. 5170-5171 OF 2019

RAKESH CHAND SHARMA ETC.

Appellant(s)/
Applicant(s)

VERSUS

THE STATE OF HARYANA & ORS.

Respondent(s)

O R D E R

Having heard Mr. Pradeep Kumar Kaushik, learned counsel appearing for the applicant(s) and Dr. Monika Gusain, learned counsel appearing for the respondent-State of Haryana and even considering the grounds of appeal in which reliance was placed on the decision of this Court rendered on 08.11.2017 in C.A. Nos. 19286-19289 of 2017 (Ranvir @ Kalua and Ors. Etc. Etc. vs. State of Haryana & Ors.) and batch, we are of the opinion that while disposing of the present appeals being Civil Appeal Nos. 5170-5171 of 2019, the decision rendered on 02.07.2019 in Civil Appeal No. 18381 of 2017 (Adani Logistics Ltd. vs. Land Acquisition Collector and Ors.) and batch was wrongly relied upon and consequently relying upon that judgment, the appeals were wrongly disposed of. The aforesaid seems to be an obvious mistake, which even the learned counsel appearing on behalf of the State has fairly not disputed.

In that view of the matter, the present Applications are allowed. The order passed by this Court dated 02.07.2019 disposing of the appeals in terms of the judgment in Civil Appeal No. 18381

of 2017 (Adani Logistics Ltd. vs. Land Acquisition Collector and Ors.) and batch is hereby recalled. Civil Appeal Nos. 5170-5171 of 2019 stand restored to the file. The present Miscellaneous Applications are, accordingly, allowed.

Civil Appeal Nos. 5170-5171 of 2019:

Having heard learned counsel for the respective parties, the question in the present appeals is squarely covered in favour of the Claimants as per the decision of this Court in C.A. Nos. 19286-19289 of 2017 (Ranvir @ Kalua and Ors. Etc. Etc. vs. State of Haryana & Ors.). The aforesaid is not disputed by the learned counsel appearing on behalf of the respondent-State.

In that view of the matter, the present appeals are accordingly allowed to the extent as mentioned in the judgment and order passed by this Court in Ranvir @ Kalua and Ors. Etc. Etc. (supra). No costs.

..... J.
(M.R. SHAH)

..... J.
(A.S. BOPANNA)

New Delhi;
October 25, 2021.

