

**(2011) 09 SC CK 0097**

**In the Supreme Court Of India**

**Case No :** Civil Appeal No. 7674 of 2011 (Arising out Special Leave Petition No. 7673 of 2006)

Muzebuddeen

APPELLANT

Vs

State of M.P. and Another

RESPONDENT

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**Date of Decision :** 06-09-2011

**Acts Referred:**

Land Acquisition Act, 1894 — Section 17(1), 4

**Citation :** (2011) 09 SC CK 0097

**Hon'ble Judges :** Deepak Verma, J; Dalveer Bhandari, J

**Bench :** Division Bench

**Final Decision :** Dismissed

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## **Judgement**

1. We have heard Learned Counsel for the parties.
2. Delay condoned.
3. Leave granted in all the Special Leave Petitions.
4. By this common order, we are disposing of these appeals.
5. By the Notification issued under Sections 4 and 17(1) of the Land Acquisition Act, 1894 on 17.10.1982, total land admeasuring 134.913 hectares situate in village Babupur, Nipania, Dohi and Khuar, Tahsil Hujur, Rewa was acquired.
6. Out of that, the land of the Appellant-Muzebuddeen is measuring 1.376 hectares only in Khasra Nos. 472,473,480, and 481, the land of the Appellant - Ramkhelaman is measuring 6.119 hectares only(i.e. 2.209 hectares in Village Nipania, 3.319 hectares and 0.591 hectares in Village Babupur) in Khasra Nos. 452/2, 453/2, 15 to 19, 24, 25, 27 to 29, 21 and 22 respectively, the land of the Appellant - Ram Awatar is measuring 1.123 hectares only in Khasra No. 453/3, the land of the Appellant ? Mahesh Prasad is measuring 0.313 hectares only in Khasra No. 454/4, the land of the Appellant ? Laxman Prasad is measuring 2.830 hectares only in Khasra Nos. 452/1, the land of the Appellant ? Budhasen is

measuring 0.626 hectares only in Khasra No. 454/B, 454/C1 and the land of the Appellant ?Ramawatar is measuring 32 acres only.

7. The Reference Court, by a well reasoned order, awarded compensation of Rs. 25,000/- per acre in all the cases. The High Court, in the impugned judgment/order, has reduced the compensation from Rs. 25,000/- per acre to Rs. 20,000/- without any sound basis. In our opinion, interference by the High Court was totally uncalled for. We see no justification for the High Court in reducing the compensation of the Appellants. In this view of the matter, we are constrained to set aside the impugned judgment of the High Court and restore the order of the Reference Court. The Appellants would be entitled to a compensation of Rs. 25,000/- per acre along with other statutory benefits.

8. We, accordingly, restore the order passed by the Reference Court granting compensation at the rate of Rs. 25,000/- per acre plus all the statutory benefits as contemplated under the law.

9. Consequently, we direct the State of Madhya Pradesh to pay the amount calculated at the rate of Rs. 25,000/- per acre plus other benefits as contemplated under law to the Appellants. The amount already paid to the Appellants shall be adjusted and the remaining amount be paid to the Appellants within three months from today.

10. These appeals are allowed and disposed of accordingly, leaving the parties to bear their own cost.