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(1989) 03 SC CK 0018

In the Supreme Court Of India

Case No : Civil Appeal No. 1283 Of 1981

Ram Prakash Gupta — APPELLANT

Vs

Town Improvement Trust, Bhopal — RESPONDENT

Date of Decision : 03-03-1989

Acts Referred:

Citation : AIR 1989 SC 1228 : (1989) 1 JT 447 : (1989) 1 SCALE 541 : (1989) 2 SCC 342 : (1989) 1 UJ 547

Hon'ble Judges : K. N. Saikia, J;G. L. Oza, J

Bench : Division Bench

Final Decision : Allowed

Judgement

K.N. Saikia, J.—This appeal by special leave is from the judgment and order dated 7th October, 1980 of the Madhya Pradesh High Court against the 40 Judgment dated March 3, 1989 in Civil Appeal No. 1283 of 1981 award dated 25.11.1972 in Reference No. 1 of 1970. The Compensation Tribunal awarded compensation at the rate of Rs. 950 per acre, which worked out at Rs. 12604/-, and 15% solatium for compulsory acquisition which amounted to Rs. 1896.70. The total compensation, therefore, was Rs. 14541.20. The High Court fixed the market value of the entire land at Rs. 9,000/- per acre. For the reasons given in our judgment in Civil Appeal No. 2931 (N) of 1981 we enhance the compensation by 1/6th to Rs. 10,500/- per acre. We maintain 15% for compulsory acquisition but raise interest to 9% on the enhanced compensation from today till payment. We leave it open for the appellant to move for higher interest and solatium if entitled by virtue of subsequent pronouncement of this Court, if any.

2. In the result, this appeal is allowed as above. We make no order as to costs.

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