

(2013) 07 KL CK 0086
In the High Court Of Kerala
Case No : LA. App. No. 1326 of 2010 (B)

State of Kerala

APPELLANT

Vs

Nandan and Others

RESPONDENT

Date of Decision : 22-07-2013

Acts Referred:

Land Acquisition Act, 1894 — Section 4(1)

Citation : (2013) 07 KL CK 0086

Hon'ble Judges : S. Siri Jagan, J; K. Ramakrishnan, J

Bench : Division Bench

Advocate : P.C. Iype, A.A.G, for the Appellant; J. Harikumar and Sri. K.A. Jaleel, SC., Trida, for the Respondent

Final Decision : Disposed Off

Judgement

S. Siri Jagan, J.—This appeal is filed by the State challenging the judgment of the Additional Sub Court, Thiruvananthapuram, in L.A.R. No. 482/2008. Lands belonging to respondents 1 and 2 were acquired as per a notification dated 2.3.2005 u/s 4(1) of the Land Acquisition Act. During the pendency of the appeal, the 1st respondent died and his legal heirs have come on record to prosecute the appeal on behalf of the 1st respondent as additional respondents 4 to 6. The Land Acquisition Officer fixed the land value to Rs. 3,37,155/- per are. The Sub Court enhanced the same to Rs. 28,00,000/- per are. It is challenging the land value fixed by the Sub Court, the appellant has filed this appeal. The judgment impugned in this appeal is a common judgment in L.A.R. Nos. 336/2008 and 482/2008 fixing common land value for the land involved in both. It is admitted by both sides that against L.A.R. No. 336/2008, the appeal filed by the State before this Court as L.A.A. No. 1327/2010, was disposed of by this Court re-fixing the land value at Rs. 18,00,000/- per are.

In the above circumstances, following the judgment in L.A.A. No. 1327/2010, we re-fix the land value in this case also as Rs. 18,00,000/- per are. The appeal is disposed of as above.