

THE HON'BLE SRI JUSTICE K.C.BHANU
AND
THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

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APPEAL SUIT No.1775 OF 2003

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JUDGMENT: (per Hon'ble Sri Justice K.C.Bhanu)

This appeal, under Section 54 of the Land Acquisition Act, 1894 (for short, 'the Act'), is filed aggrieved by the common order and decree, dated 31.12.2001, in Original Petition No.27 of 2000 passed by the Principal Senior Civil Judge, Kurnool.

2. Heard.

3. It is stated by both the counsel that the issue involved in this appeal is squarely covered by a common judgment of a Division Bench of this Court, dated 21.08.2007, in A.S.No.40 of 2003 and Batch, whereby the appeal was partly allowed disentitling the claimants therein to 12% additional market value from the date of taking possession, but entitling them to 12% additional market value as per Section 23 (1A) of the Act from the date of issuance of notification till the date of award and interest at the rate of 9% per annum for a period of one year from the date of issuance of 4 (1) notification and thereafter, at the rate of 15% per annum on the enhanced compensation till the date of realization, including 30% solatium.

4. Following the said common judgment, this appeal is also partly allowed making it clear that the claimant herein is also entitled to 12% additional market value from the date of issuance of 4(1) notification till the date of award and he is also entitled to interest at the rate of 9% per annum for a period of one year from the date of 4(1) notification and thereafter, at the rate of 15% per annum on the enhanced compensation till the date of realization. It is also made clear that the claimant herein is entitled to interest on solatium from

19.09.2001 as per the judgment of the Honourable Apex Court in **SUNDER V. UNION OF INDIA**^[1]. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this appeal shall stand closed.

K.C.BHANU, J

M.SEETHARAMA MURTI, J

MARCH 10, 2015

Note:
Registry is directed to attach a copy
of common judgment, dated 21.08.2007
in A.S.No.40 of 2003 and Batch to this
judgment.

(B/o)
YVL

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DATE: 10.03.2015

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[\[1\]](#) (2001) 7 SCC 211