

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
and
THE HON'BLE SMT JUSTICE ANIS**

APPEAL SUIT No.642 of 2002

JUDGMENT: (per SK, J)

This appeal arising under Section 54 of the Land Acquisition Act, 1894 (for brevity 'the Act of 1894'), relates to the enhancement of the compensation by the learned Subordinate Judge, Atmakur, in O.P.No.4166 of 1987, a reference under Section 18 of the Act of 1894.

Seeking further enhancement, the claimant is before this Court.

It is now stated by Sri V. Manohar Rao, learned counsel for the appellant/claimant, that this Court had occasion to deal with the very same land acquisition award arising out of a single notification under Section 4(1) of the Act of 1894 in A.S.Nos.438, 693, 744, 1033, 1063, 1065 and 1067 of 2002. A copy of the common judgment dated 29.01.2014 passed in the aforestated appeals is placed on record.

Learned Government Pleader for Appeals fairly concedes that the matter is covered by the said judgment.

In that view of the matter, this appeal is allowed in part in terms of and for reasons alike as were mentioned in the aforestated common judgment. In consequence, the market value

of the land in the present appeal, which falls in category III, is enhanced to Rs.15,000/- per acre. The appellant shall be entitled to statutory benefits in terms of the law laid down by the Supreme Court in **Sunder v. Union of India** {2001(7) SCC 211} and clarified in **Gurpreet Singh v. Union of India** {2006(8) SCC 457}. There shall however be no order as to costs.

25th OCTOBER, 2016.

SANJAY KUMAR, J

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ANIS, J