

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SMT JUSTICE T.RAJANI

LAAS.No.1731 of 2005
& Cross-Objections (SR).No.4912 of 2014

Date:01.02.2017

LAAS.No.1731 of 2005

Between.

The General Manager,
S.c. Co. Ltd.,
Godavarikhani.

..... Appellant

And.

Peer Mohammed,
S/o Raj Mohd and 14 others.

.....Respondents

Counsel for the appellant: Mr. J.Prabhakar

Counsel for respondent Nos.1 to 6: Mr. A.Sudershan Reddy

Counsel for respondent Nos.7 to 14: Mr. Mekala Mallesham

Counsel for respondent Nos.15: GP for Appeals (TS)

The Court made the following:

COMMON JUDGMENT: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

This Appeal is placed before us following the award, dated 12.3.2016, of the Lok Adalat held at Hyderabad, the terms of which read as under:

“(1) Sri V.Shivaji, Estate Manager for Singareni Collieries Company Limited and Sri M.Mallesham, learned counsel for the respondents/claimant Nos.1 to 5, 16 and both parties are present. The matter has been settled amicably between the parties.

(2) Both the parties have agreed the market value of the land acquired @ Rs.97,500/- per acre (against the award amount of Rs.11,000/- per acre, which was fixed by the land Acquisition Officer and an amount of Rs.50,000/- is enhanced by the lower Court) together with all statutory benefits and the interest thereon.

(3) For structures, wells, trees, if any, as per the award, the respondents/claimants are entitled to the enhancement of compensation @ 85% on the amount awarded by the Land Acquisition Officer.

(4) Both the parties filed joint calculation memos and it is appended to the award as per the calculation memo, the total liability of the Singareni Collieries Company Limited comes to Rs.33,81,888.76 paise and after deducting a sum of Rs.8,14,289.77 paise being the interest for the period of delay of about 9 years in filing the Cross-Objections, the appellant Company is liable to pay only a sum of Rs.25,67,598.99 paise.

(5) The Estate Manager of the appellant Company further stated that as against the deducted amount of Rs.8,14,289.77 paise and in view of the Cross-Objections, the company will pay 25% thereof in addition to the liability of Rs.25,67,598.99 paise and also subsequent interest till date of deposit in the joint calculation memo, which is endorsed by both parties

that amount shall be paid after due calculation as on the date of deposit pursuant to the joint Memo.

(6) The disbursement of the amounts shall be as per Rule-230 of Civil Rules of Practice on proper identification of Claimant Nos.1 to 5 and 16.

(7) No orders as to the costs of the appeal.

(8) The parties are informed that the Court fee, if any, paid by any of them shall be refunded.

(9) Accordingly, LAAS.No.1731 of 2008 may be disposed of.

(10) In view of the same, the Cross-Objections (SR).No.4912 of 2014 shall stand closed.”

In the light of the above, the appeal is disposed of and the Cross-Objections are closed in terms of the Lok Adalat award as reproduced above.

As a sequel to disposal of the appeal, interim order, dated 11.11.2005, in LAASMP.No.4487 of 2005 is vacated and LAASMP.No.4487 of 2005 shall stand disposed of as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

JUSTICE T.RAJANI

01st February, 2017

DR