

THE HON'BLE JUSTICE G. SRI DEVI
AND
THE HON'BLE SMT. JUSTICE M.G. PRIYADARSINI

L.A.A.S. No. 66 of 2012

JUDGMENT: (*per Justice G. Sri Devi*)

The *lis* in this appeal preferred by the Land Acquisition Officer-cum-Special Deputy Collector, L.A. Unit, Priyadarshini Joorala Project at Gadwal, Mahabubnagar District, is directed against the order passed by the civil Court in the reference made under Section 18 of the Land Acquisition Act, 1894.

2. It is now brought to our notice that a Division Bench of this Court, entertaining similar Appeals in L.A.A.S.Nos.331, 337, 339 and 371 of 2011, preferred by the Land Acquisition officer, by its judgment, dated 01.10.2013, dismissed those appeals finding no merit therein and confirmed the orders passed by the reference Court.

3. Since it is agreed on either side that the reasoning adopted by this Court in its judgment dated 01.10.2013 holds good even in these cases, we dismiss this appeal confirming the market value fixed by the reference Court. At this stage, it is contended by the learned Counsel for the respondent(s)-claimant(s) that as per the decisions of the Apex Court in

R.L.Jain (D) by LRs v. DDA and others¹ and ***Tahera Khotoon and others v. Revenue Divisional Officer²***, the claimant(s) is/are entitled to the benefit of 15% additional interest from the date of taking possession of the land till the date of publication of the preliminary notification. The said fact has not been disputed by the learned Government Pleader for Appeals. Admittedly, the possession of the land was taken on 01.04.2000 and whereas the notification was issued on 07.09.2001. In the light of the aforesaid judgments, the respondent(s)/ claimant(s) is/are entitled for additional interest at 15% from the date of taking over of actual possession till the date of publication of notification under Section 4 (1) of the Act. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in these appeals shall stand closed.

JUSTICE G. SRI DEVI

JUSTICE M.G. PRIYADARSINI

23.08.2022
tsr

¹ (2004) 4 SCC 79

² (2014) 13 SCC 613

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DATE:23.08.2022