GAHC020005492022 2026:GAU-NL:602

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
KOHIMA BENCH

Case No. : WP(C)/210/2022

SHRI. P. MEREN JAMIR @ PUTUR MARIAN
S/O LATE NOKSANGJENBA,
R/O A.Y. VALLEY, TZUDIKONG TOWN, MOKOKCHUNG, NAGALAND

VERSUS

THE UNION OF INDIA AND 8 ORS
REPRESENTED BY THE SECRETARY, MINISTRY OF RAILWAYS,
GOVERNMENT OF INDIA, NEW DELHI, ROOM NO.239, RAIL
BHAWAN, RAISINA RD.CP, NEW DELHI - 110001

2:THE STATE OF NAGALAND

REPRESENTED BY THE CHIEF SECRETARY
GOVERMENT OF NAGALAND

3:THE COMMISSIONER

NAGALAND
KOHIMA

4:THE COMMISSIONER AND SECRETARY/SECRETARY

DEPARTMENT OF LAND REVENUE
GOVERNMENT OF NAGALAND
KOHIMA
NAGALAND

5:THE GENERAL MANAGER

NORTHEAST FRONTIER RAILWAY

MALIGAON

GUWAHATI
ASSAM - 781011

6:THE DIVISIONAL RAILWAY MANAGER

NORTHEAST FRONTIER RAILWAY

TINSUKIA
ASSAM

7:THE CHIEF ENGINEER

(CON/BG)
NORTHEAST FRONTIER RAILWAY

MALIGOAN
GUWAHATI
ASSAM

8:THE DEPUTY COMMISSIONER

MOKOKCHUNG
NAGALAND

9:GENERAL MANAGER/CONSTRUCTION
NF RAILWAY
KAMRUP(METRO)
GUWAHATI
ASSAM-78101

Advocate for the petitioner	:	Mr. Moa Jamir
Advocate for the respondents	:	Mr. H. Gupta, CGC, for R-1, 5, 6 & 7 Mr. E. Thiba Phom, Govt. Adv., for R-2, 3, 4 & 8

Date on which judgment is reserved	:	**01.09.2026**
Date of pronouncement of judgment	:	**03.11.2026**
Whether the pronouncement is of the operative part of the judgment?	:	N/A

Whether the full judgment has been pronounced? : Yes

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

JUDGMENT & ORDER (CAV)

Heard Mr. Moa Jamir, learned counsel for the petitioner. Also heard Mr. H. Gupta, learned Central Government Counsel (CGC) for the respondent Nos. 1, 5, 6 and 7; and Mr. E. Thiba Phom, learned Government Advocate for the respondent Nos. 2, 3, 4 and 8.

2. In this petition, under Article 226 of the Constitution of India, the petitioner, namely, Shri P. Meren Jamir @ Putur Marian, has prayed for issuing direction to the respondent authorities to acquire the land of the petitioner, for the construction of the railway line, in terms of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and the Nagaland Land (Requisition and Acquisition) Act, 1965, after conducting survey of the area of the land belonging to the petitioner.

Background facts:

3. The background facts, leading to filing of the present petition are briefly stated as under:

> "The petitioner herein is the owner of a plot of land measuring 8 acres, situated at Tuli, Mokokchung, Nagaland. The said land was acquired by the State Government and the Railway authorities, for

construction of railway line, from Amguri to Tuli, which was initiated in the year 1983, and completed in the 1990s. Thereafter, railway lines were laid by the authorities and railway station and staff quarters were constructed on the land of the petitioner.

During the course of acquisition, the petitioner was paid an amount of Rs. 11,950/- only, as compensation for damage of crops in the year 1992. However, no compensation was paid for the land acquired by the respondent authorities. The State of Nagaland has its own enactment with regard to the acquisition of land, namely, the Nagaland Land (Requisition and Acquisition) Act, 1965 ('Act of 1965', for short) and the procedure for acquisition of land is prescribed under Sections 6, 9 & 11 of the said Act. Similar procedures are also provided under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ('Act of 2013', for short).

It is the contention of the petitioner that the right to property is also protected by Article 300A of the Constitution of India, which specifically provides that no person shall be deprived of his property, save and except by the authority of law, and in the case of the petitioner, the provisions under the Act of 1965, and the Act of 2013, have not been followed by the respondent authorities, while acquiring the land of the petitioner.

The petitioner had approached the respondents on several occasions to address his grievances, but the same failed to evoke any response for last four decades.

Being aggrieved, the petitioner has approached this Court by filing the present petition."

Stand of the respondent Nos. 2, 3, 4 and 8:

4. The respondent Nos. 2, 3, 4 and 8 have filed an affidavit-in-opposition, wherein it is stated that vide letter, dated 01.09.2022, the then Additional Deputy Commissioner, Tuli had conveyed to the Deputy Commissioner, Mokokchung in regard to the joint survey for development of goods train service, from Amguri to Tuli-Reg, wherein it has been verified and ascertained that land compensation was not paid to the petitioner either by the Railways or the State Government, and that the Mokokchung District Administration had also written to the Railways that land compensation or Government Gr.-IV appointment, should be given by the Railways as per convention, and in principle of uniformity, compensation to the petitioner should be paid by the Railways, which is in line with the recent acquisition of land by the Railways (Dimapur-Kohima Railway Line), where land compensation to the landowners had already been paid by the Railways.

Stand of the respondent Nos. 5, 6 and 7:

5. The respondent Nos. 5, 6 and 7 have filed an affidavit-in-opposition, wherein it is stated that vide letter dated 27.08.1987, which is annexed with the writ petition as Annexure-E, the Deputy Commissioner, Mokokchung wrote to the Deputy Chief Engineer/S & C, N.F. Railway, Maligaon, by which detailed assessment of land compensation and standing crops damages for construction of railway line between Amguri-Tuli was sent for Rs. 1,57,000/-, which was required to be paid to the land

owners of the concerned village including the cost of standing crops damaged, and request was also made to get the aforesaid amount sanctioned. It is also stated that subsequently, vide letter dated 01.12.1987, at Annexure-F, the Chief Engineer (Con-I) wrote a letter to the Deputy Commissioner, Mokokchung, stating that the Railways will not be required to pay any amount over and above the assessed amount of Rs. 1,57,000/- in respect of the said land of 56.34 hectares between KM. 10.85 to KM 14.65, towards land to be transferred to Railways. And in the letter, bearing No. LR-50/87-88/789-92, dated 18.02.1988, the Additional Deputy Commissioner, Mokokchung, stated that the Railway has already paid a sum of Rs. 1,57,000/-, and further during the distribution of the amount, there was a representation and the Railway had to pay another sum of Rs. 15,950/-, against crop compensation and further the Railway had agreed to pay and sent a Cheque of Rs. 1,53,675/-. It was further stated that though as per letter of November, 1988, no money beyond Rs. 1,57,000/- was required to be paid, but still as a good gesture, the Railway agreed to pay the amount, whatever was asked for by the State Government. The Railway, therefore, requested the Deputy Commissioner, Mokokchung to transfer the land for the amount already been paid, and that the land area of 56.34 hectre required for the railway project was handed over free of encumbrances, vide Office of the Deputy Commissioner, Mokokchung, letter No. LR-50/87-88/789-92, dated 09.02.1988.

5.1. It is also stated that for the acquired land, compensation has already been paid through the State Government and it is not clear as to which part of land is the matter of concern. Therefore, it was requested to

send acquisition initiated at that time, and that the relevant records also could not be traced out in the office.

5.2. It is further stated that the Railway had already taken possession of the land in the year 1988, and also paid compensation through Deputy Commissioner, and that the petitioner has approached this Court claiming compensation after 28 years, which is time barred and hit by delay and laches, and when a person's land is acquired under the Act of 1965 and if an award is made under sub-section (2) of Section 11, and if the said person disagrees with such award, he shall make an application regarding his disagreement towards the compensation payable to him for such acquisition, and the collector is required to refer such application to the Court, under Section 12(1) of the Act. It is also provided that such application shall be made as per Section 18 of the Land Acquisition Act, 1894, which is within six months from the date of collector's award, and as such, the time limit is six months for referring the matter to the Court by the collector under Section 12(1) of the Act of 1965. However, the petitioner has failed to do so and accepted the award without protest, and hence after 28 years, the petitioner cannot approach the Court with the issue of compensation, which was settled long back.

5.3. It is also stated that Section 74 of the Act of 2013, clearly stipulates that the requiring body or any person aggrieved by the award passed by an authority, under Section 69, may file an appeal to the High Court within sixty days from the date of award. It also provides that the High Court may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the said period, allow it to be filed within a further period not exceeding sixty days. It is further stated

that the provisions of the Act of 2013, is not applicable as the Railway authorities have already taken possession of the land after payment of the compensation amount, which is admitted in the documents annexed with the writ petition.

5.4. It is also stated that the claim of the petitioner is hit by delay and laches, as the claim for non-payment of compensation has been raised after 34 years as the Court case is related to land compensation of Amguri-Tuli Siding Line of MG standard, which was constructed around year 1990. Further, there has been no explanation of delay and laches on the part of the petitioner, who is the legal heir of the original land owner, and under such circumstances, it is contended to dismiss the petition.

Reply by the petitioner:

6. The petitioner has filed an affidavit-in-reply, to the affidavit-in-opposition, filed by the respondent Nos. 5 to 7, denying the statements and averments made in the said affidavit-in-opposition. It has been categorically stated that he received a sum of Rs. 11,950/-, only, which was paid solely towards damages to the standing crops and except that, he has not received any compensation for the land measuring 8 acres. It is also stated that the acquisition of the said land was carried out without following the due process of law, as mandated under the applicable land acquisition statutes, and also constitutional safeguards, and no notice, intimation, or opportunity of being heard was ever afforded to the petitioner at any stage of the acquisition or compensation proceedings, and that failure to adhere to the principles of natural justice and statutory procedure renders the acquisition arbitrary, and the petitioner continues to assert his lawful and subsisting claim for fair and adequate compensation

in accordance with law.

6.1. It is also stated that in view of the Notification No. LR/16-37/72, dated 08.06.1987, issued by the Secretary, Land Revenue Department, Government of Nagaland, the petitioner's claim has been reinforced that compensation equivalent to the value of the land is mandatorily payable to landowners, and that in absence of compliance with the mandatory legal procedure for acquisition under the relevant statute cannot constitute lawful acquisition, and without adherence to due process of law is illegal and violative of the petitioner's rights. It is further stated that that the entire edifice of limitation is predicated on the existence of a valid award, which is conspicuously absent in the present case. The possession of the land was taken without following due process of law and without complying with the mandatory provisions of the applicable legislation, and such an acquisition is null and void in the eyes of law, and no passage of time can cure the fundamental illegality in the acquisition process, and in the absence of award, the respondent authorities cannot take shelter of Section 12(1) of the Act of 1965, and as such, the limitation prescribed under the said section does not arise and there cannot be deemed acquiescence or waiver on the part of the petitioner when the acquisition was effected in violation of principles of natural justice and the petitioner's rights under Article 300A of the Constitution of India. It is further stated that when the very legality of the acquisition process is under challenge and when no award was passed under Section 69 of the Act, taking resort to the provision of Section 74 of the Act of 2013 does not arise. Under the given facts and circumstances, it is contended to allow the petition.

Submissions:

7. Mr. Jamir, learned counsel for the petitioner submits that there is no dispute that the petitioner is the owner of the 8 acres of land, which was acquired by the State respondents for construction of railway line from Amguri to Tuli and the process was initiated in the year 1983 and completed in the 1990s, and that the land was acquired without following due process law and no compensation was paid to the petitioner, except however, a sum of Rs. 11,950/-, being the damages of crops in the year 1992. Mr. Jamir also submits that though there exists legal framework for acquisition of land i.e. the Act of 1965, yet the procedure prescribed under Sections 6, 9 and 11 of the said Act has not been followed, and that the right of the petitioner, as guaranteed by Article 300A of the Constitution of India i.e. right to property has been violated. Mr. Jamir further submits that the petitioner has not been paid the compensation for the last four decades and though he approached the respondent authorities on several occasions, the same failed to evoke any response.

7.1. Mr. Jamir also submits that though the State respondents have taken the plea that the claim is barred by the principle of delay and laches, yet, while there was no acquisition process, the said principle is not applicable in the case of the petitioner. Mr. Jamir further submits that the respondent authorities have failed to produce any document with regard to the acquisition process and payment of compensation to the petitioner, and under such circumstances, he has contended to allow the petition by granting similar relief to the present petitioner, as granted by this Court, vide order dated 31.08.2026, in WP(C) No. 98/2025.

8. Per contra, Mr. Gupta, learned CGC for the respondent Nos. 1, 5, 6 and 7, has reiterated the grounds taken in the affidavit-in-opposition and

submits that the amount has been paid through the Deputy Commissioner, Mokokchung and the petitioner has approached this Court after several decades and the present petition is not at all maintainable. Mr. Gupta also submits that the petitioner has been paid the compensation for the land and also for the damage to the standing crops, and under such circumstances, Mr. Gupta has contended to dismiss this petition.

9. On the other hand, Mr. Phom, learned Government Advocate for the respondent Nos. 2, 3, 4 and 8 submits that the land of the petitioner was acquired for the construction of railway line from Amguri to Tuli, and that the crop compensation of a sum of Rs. 11,950/- has been paid to the petitioner. He also submits that there is no record of payment of compensation to the petitioner. However, Mr. Phom has contended to dismiss this petition.

10. In reply to the submissions of Mr. Gupta, learned CGC and of Mr. Phom, learned Government Advocate, Mr. Jamir submits that the delay and laches cannot be a ground to dismiss the claim of the petitioner in view of the decision of Hon'ble Supreme Court in the case of **Sukh Dutt Ratra and Anr. vs. The State Of Himachal Pradesh and Ors.,** reported in **(2022) 7 SCC 508,** especially paragraph No. 24, as there is continuous cause of action and continuous wrong done to the petitioner. Mr. Jamir has also pointed out that the State respondents have no record to demonstrate that the land of the petitioner was acquired following due process of law, and failure to produce the relevant record by the respondent authorities strengthened the case of the petitioner that the land was not acquired by following the due process of law and compensation has not been paid to him.

11. Having heard the submissions of learned counsel for both the parties, this Court has carefully gone through the petition and the documents placed on record, the affidavit-in-opposition filed by the respondents and the affidavit-in-reply filed by the petitioner, and also gone through the decision referred by Mr. Jamir, learned counsel for the petitioner.

Discussions and analysis:

12. The basic facts herein this case is not in dispute. The land of the petitioner, measuring 8 acres, was acquired by the respondent authorities for construction of railway line from Amguri to Tuli and the process of construction was initiated in the year 1983 and completed in the year 1990s. It is the categorical contention of the petitioner that except payment of a sum of Rs.11,950/- only, for the damage to the crops standing over the plot of land, nothing was paid to him. Further, none of the State respondents could produce any record of acquisition of the land of the petitioner following due process of law. And it is apparent from the affidavit of the respondent No.2, 3, 4 and 8 that no compensation was paid to the petitioner either by the Railway of by the State respondent.

13. It is well settled that if the railways (or Union of India) take private land without initiating proper statutory proceedings, without following the prescribed procedure, or without paying compensation, the action is unconstitutional under Article 300A of the Constitution, in view of the decision of Hon'ble Supreme Courts discussed herein below.-

13.1. In the case of **K.T. Plantation (P) Ltd. v. State of Karnataka,** reported in 2011 (9) SCC 146, (Constitution Bench)

Hon'ble Supreme Court has held as under:-

> "**166. Article 300-A, when examined in the light of the circumstances under which it was inserted, would reveal the following changes:**
>
> ***1*. Right to acquire, hold and dispose of property has ceased to be a fundamental right under the Constitution of India.**
>
> ***2*. Legislature can deprive a person of his property only by authority of law.**
>
> ***3*. Right to acquire, hold and dispose of property is not a basic feature of the Constitution, but only a constitutional right.**
>
> ***4*. Right to property, since no more a fundamental right, the jurisdiction of the Supreme Court under Article 32 cannot be generally invoked, aggrieved person has to approach the High Court under Article 226 of the Constitution.**
>
> **167. Arguments have been advanced before us stating that the concept of eminent domain and its key components be read into Article 300-A and if a statute deprives a person of his property unauthorisedly, without adequate compensation, then the statute is liable to be challenged as violative of Articles 14, 19 and 21 and on the principle of the rule of law, which is the basic structure of our Constitution. Further, it was also contended that the interpretation given by this Court on the scope of Articles 31(1) and (2) in various judgments be not ignored while examining the meaning and content of Article 300-A.**
>
> **168. Article 300-A proclaims that no person can be deprived of his property save by authority of law, meaning thereby that a person cannot be deprived of his property merely by an executive fiat, without any specific legal authority or without the support**

of law made by a competent legislature. The expression "property" in Article 300-A confined not to land alone, it includes intangibles like copyrights and other intellectual property and embraces every possible interest recognised by law.

169. This Court in *State of W.B.* v. *Vishnunarayan and Associates (P) Ltd.* [(2002) 4 SCC 134], while examining the provisions of the West Bengal Great Eastern Hotel (Acquisition of Undertaking) Act, 1980, held in the context of Article 300-A that the State or executive officers cannot interfere with the right of others unless they can point out the specific provisions of law which authorises their rights.

170. Article 300-A, therefore, protects private property against executive action. But the question that looms large is as to what extent their rights will be protected when they are sought to be illegally deprived of their properties on the strength of a legislation. Further, it was also argued that the twin requirements of "public purpose" and "compensation" in case of deprivation of property are inherent and essential elements or ingredients, or "inseparable concomitants" of the power of eminent domain and, therefore, of List III Entry 42, as well and, hence, would apply when the validity of a statute is in question."

13.2. In the case of **Vidya Devi vs. State of Himachal Pradesh,** reported in **(2020) 2 SCC 569,** Hon'ble Supreme Court has held that forcible dispossession, without legal sanction violates Article 300A and also violates human rights. The State cannot claim title by adverse possession against its own citizens. Delay does not bar a continuing constitutional wrong. Here in this case, Hon'ble Supreme Court has ordered payment of compensation treating it as deemed acquisition, with statutory benefits.

13.3. Again in the case of **Kolkata Municipal Corporation**

v. Bimal Kumar Shah, reported in **Civil Appeal N0. 6466 OF 2024, arising out of SLP (C) NO. 4504 OF 2021,** Hon'ble Supreme Court laid down seven sub-rights that form the real content of the right under Article 300A. Non-compliance takes the action outside the "authority of law":

1. Right to notice (State must inform the owner of intention to acquire).
2. Right to be heard (objections must be heard).
3. Right to a reasoned decision.
4. Acquisition only for public purpose.
5. Right to fair compensation / restitution / rehabilitation.
6. Right to efficient and timely process.
7. Right to conclusion (including actual vesting/possession).

13.4. It has also been held in the said case that the compensation alone does not validate an acquisition if procedure is absent or defective. Payment must be prompt; inordinate delay itself violates Article 300A.

13.5. What can be crystallized from the proposition, laid down in the cases discussed above, is that Article 300A (inserted by the 44th Amendment, 1978) states: "No person shall be deprived of his property save by authority of law." It is no longer a fundamental right (former Articles 19(1)(f) and 31 were deleted), but it remains a constitutional safeguard against arbitrary State action. The right to claim compensation is inbuilt in Article 300A, a law providing for no compensation or illusory compensation can be challenged. Public purpose is a precondition. The

law and its application must be just, fair and reasonable and is subject to judicial review under Articles 14 and 300A.

14. Now, adverting to the facts herein this case, this Court finds that the respondent authorities, herein, have failed to produce any record or document to show that the land was acquired by following the due process of law as prescribed under the Act of 1965 and the procedure prescribed under Sections 6, 9 and 11 of the said Act. Moreover, neither in their affidavit, nor in their submissions, the respondent authorities have able to demonstrate before this Court about initiation of acquisition process in accordance with law. And, this failing to produce relevant records rather fortified the claim of the petitioner that while acquiring his land for construction of Amguri - Tuli railway line, the acquisition process was not initiated for acquisition of 8 acres of his land.

15. Further, this Court finds that it is the categorical contention of the petitioner that he has been paid a sum of Rs. 11,950/- only for the damage to the crops standing over his plot of land. The respondent authorities had also failed to produce any documents in support of their contention that they have paid any compensation in respect of acquiring the land of the petitioner, except however a sum of Rs. 11,950/- only, for the damage to the crops.

16. Though the respondent authorities in Railway have taken a stand that they have paid a sum of Rs. 1,53,675/- and further, a sum of Rs.1,57,000/-, yet no record of payment of the aforementioned sum to the petitioner could be produced before this Court. Instead, in the affidavit filed by the State of Nagaland, it has been stated in no uncertain term that the amount of compensation was not paid to the petitioner either by

the Railway authorities or by the State Government. And this fact is apparent from the letter dated 01.09.2022, of the then Additional Deputy Commissioner, Tuli, which is annexed with the Petition as Annexure-S at page No.55.

17. And as regard the stand of the Railway authorities, that there is delay and laches in approaching the Court, which Mr. Gupta, learned CGC, has also pointed out during the course of hearing, this Court finds that the said contention of Railway authorities, and also the submission of Mr. Gupta cannot be accepted in view of the fact that there was continuous communication between the parties, i.e. the ADC, Tuli and the Deputy Commissioner, Mukokchung and the Railway authorities.

17.1. Moreover, in the case of **Vidya Devi (supra)** so referred by Mr. Jamir, Hon'ble Supreme Court has held that delay does not bar a continuing constitutional wrong. Further, in the case of **Sukh Dutt Ratra (supra),** Hon'ble Supreme Court has held that delay and laches cannot be ground to dismiss the petition when there is continuous cause of action and continuous wrong done to the petitioner. Paragraph No. 24 and 25 of the said decision are extracted herein below:-

> "**24. And with regard to the contention of delay and laches, this Court went on to hold : (*Vidya Devi case* [*Vidya Devi* v. *State of H.P.*, (2020) 2 SCC 569; para 12)**
>
> > "***12.12*. The contention advanced by the State of delay and laches of the appellant in moving the Court is also liable to be rejected. Delay and laches cannot be raised in a case of a continuing cause of action, or**

if the circumstances shock the judicial conscience of the Court. Condonation of delay is a matter of judicial discretion, which must be exercised judiciously and reasonably in the facts and circumstances of a case. It will depend upon the breach of fundamental rights, and the remedy claimed, and when and how the delay arose. There is no period of limitation prescribed for the courts to exercise their constitutional jurisdiction to do substantial justice.

***12.13*. In a case where the demand for justice is so compelling, a constitutional court would exercise its jurisdiction with a view to promote justice, and not defeat it. [*P.S. Sadasivaswamy* v. *State of T.N.*, (1975) 1 SCC 152]**

25. Concluding that the forcible dispossession of a person of their private property without following due process of law, was violative[Relying on *Hindustan Petroleum Corpn. Ltd.* v. *Darius Shapur Chenai*, (2005) 7 SCC 627; *N. Padmamma* v. *S. Ramakrishna Reddy*, (2008) 15 SCC 517; *Delhi Airtech Services (P) Ltd.* v. *State of U.P.*, (2011) 9 SCC 354 and *Jilubhai Nanbhai Khachar* v. *State of Gujarat*, 1995 Supp (1) SCC 596 of both their human right, and constitutional right under Article 300-A, this Court allowed the appeal. We find that the approach taken by this Court in *Vidya Devi* [*Vidya Devi* v. *State of H.P.*, (2020) 2 SCC 569 is squarely applicable to the nearly identical facts before us in the present case."

17.2. In view of the aforesaid proposition, the contention of the Railway authorities and also the submission of Mr. Gupta, learned CGC that on account of delay and laches, this petition is liable to be dismissed, cannot be acceded to.

Conclusion:-

18. Under the given factual and legal matrix, this Court finds sufficient merit in this petition and accordingly, the same stands allowed.

19. Accordingly, by a mandamus of this Court, the respondent authorities i.e. respondent Nos. 1 to 9 are directed to acquire the land of the petitioner, in terms of the provisions of the Act of 1965 and to assess the compensation, which the petitioner is legally entitled to, and to pay the same to him.

19.1. It is further provided that, if the petitioner is entitled to compensation under any of the Act, apart from the Act of 1965, the same shall also be paid to the petitioner.

19.2. The amount of compensation, which the petitioner herein is legally entitled to shall carry interest @ 12% per annum from the date of taking over the possession of the land of the petitioner, till the date of payment.

20. The exercise, aforesaid shall be carried out within a period of three months from the date of receipt of certified copy of this judgment and order. The petitioner shall obtain a certified copy of this judgment and order and place the same before the respondent authorities within a period of one week from today.

21. In terms of above, this writ petition stands disposed of leaving

the parties to bear their own costs.

JUDGE

Comparing Assistant