**IN THE SUPREME COURT OF INDIA**

**CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO. 6525 OF 2004**

**INDIAN OIL CORPORATION LTD. .....APPELLANT**

**Versus**

**ALL INDIA TEA & TRADING CO. & ORS. .....RESPONDENTS**

**O R D E R**

**The appellant filed an appeal before the Guwahati High Court challenging the quantum of compensation awarded to the first respondent. In the said appeal, the High Court on 4.4.2003 made an interim order staying the operation of the award subject to the appellant depositing a sum of Rupees sixty lakhs within two months, in addition to the sum of about Rupees thirty lakhs which was already received by the first respondent. The said order is challenged in this appeal by special leave.**

**2. On 19.5.2003, interim stay was granted by this Court while directing notice. It was ordered that the notice should indicate that the first respondent should either furnish security for the said sum of Rs. Sixty lakhs or accept only Rupees thirty lakhs without security.**

**.....2.**

3. On 25.8.2003, this Court directed the appellant to deposit Rupees thirty lakhs within two weeks with permission to the first respondent to withdraw the said amount without furnishing any security. The appellant informs that the said sum of Rupees thirty lakhs has already been deposited by the appellant and withdrawn by the first respondent.

4. On 31.10.2003, this Court further directed the appellant to deposit the remaining sum of Rupees thirty lakhs with the condition that the sum may be paid to the first respondent on furnishing a bank guarantee to the satisfaction of the High Court. It is stated that the appellant deposited the said sum also, but as the first respondent did not give security for the said sum of Rupees thirty lakhs, as per further order of this Court dated 22.7.2005, the said amount was refunded by the High Court to the appellant.

5. In view of the above, nothing survives in this appeal. All that has to be done is to dispose of the appeal in terms of the interim orders already made. Accordingly, we allow the appeal in part and modify the interim order of the High Court by directing that the

**deposit to be made was**

**.....3.**

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only Rs.30 lakhs and that was made by the appellant and withdrawn by the first respondent. Nothing more requires to be deposited.

6. As the matter relates to an acquisition of 1989 and the appeal itself has been pending before the High Court for about eight years, we request the High Court to dispose of the appeal expeditiously preferably within three months.

.....J.
( R.V. RAVEENDRAN )

New Delhi; .....J.
October 21, 2010. ( H.L. GOKHALE )

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