

PETITIONER:  
SITA DEVI WD/O MUKAND LAL

Vs.

RESPONDENT:  
STATE OF HARYANA & ANR.

DATE OF JUDGMENT 07/12/1995

BENCH:  
RAMASWAMY, K.  
BENCH:  
RAMASWAMY, K.  
HANSARIA B.L. (J)

CITATION:  
JT 1995 (9) 340 1995 SCALE (7)352

ACT:

HEADNOTE:

JUDGMENT:

O R D E R

Leave granted.

The award of the Collector under Section 11 is of the Land Acquisition Act, 1894 is dated November 26, 1976. The award of the reference Court under Section 26 is dated January 10, 1985. Therefore, the appellant is entitled to the payment of enhanced interest and solatium under Section 28 and 23 (2). The controversy raised in this matter is covered by the recent judgment of this Court delivered on November 29, 1995 [C.A. @ SLP 8494/87] in Prem Nath Kapoor & Ors. v. National Fertilizers Corporation Ltd. & Ors.

In other respects, the appellant is not entitled to adjust interest and solatium from the principal amount of compensation determined under Section 23 (1) and deposited on the respective dates. He is also not entitled to interest on solatium. Equally, the appellant is not entitled to additional amount under Section 23 (1-A) at 12 per cent per annum. The appellant is entitled to solatium at 30 per cent on enhanced compensation under Section 23 (1) from the respective dates of enhancement till the dates of deposit made in the reference Court. Equally, the appellant is entitled to interest at 9 per cent for one year from the date of the possession of the land and 15 per cent thereafter till date of deposit into court.

Appeal is accordingly disposed of. No costs.