

PETITIONER:
SPECIAL LAND ACQUISITION OFFICER

Vs.

RESPONDENT:
SHARANABASAPPA SHIVAYOGAPPA TYAPAL AND OTHERS

DATE OF JUDGMENT 16/08/1995

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

CITATION:
1995 SCC (5) 592 1995 SCALE (5) 66

ACT:

HEADNOTE:

JUDGMENT:

O R D E R

Leave granted.

The Land Acquisition Officer's award is dated the 12th October, 1978 and the Reference Court award is of 31st March, 1980. Under these circumstances, the claimants are not entitled to the enhanced benefits under Sections 23(1-A), 23(2) and 28 of the Land Acquisition Act, 1894. as amended by the Amendment Act 68 of 1984. The award of the High Court is modified and the grant of benefits are set aside. However, the claimants are entitled to 15 per cent solatium on the enhanced compensation and interest @ 5 per cent per annum under the local amended Act on the enhanced compensation from the date of taking possession till the date of payment or deposit whichever is earlier.

The appeals are accordingly allowed to the above extent.