

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.1663 OF 2020
(Arising out of SLP(Civil) No.7984 of 2016)

PRABHAT

APPELLANT(S)

VERSUS

THE STATE OF RAJASTHAN AND ORS

RESPONDENT(S)

WITH
CIVIL APPEAL No.1664 OF 2020
(Arising out of SLP(Civil) No.8034 of 2016)

CIVIL APPEAL No.1665 OF 2020
(Arising out of SLP(Civil) No.8070 of 2016)

O R D E R

Leave granted.

Heard learned counsel for the parties.

These appeals have been filed against the order of the High Court dated 27.01.2016 passed in DB Civil Misc. Stay Application Nos.10170/2015, 10166/2015 & 10167/2015 in DB Civil Special Appeal (Writ) Nos.751/2015, 747/2015 & 748/2015 by which order the High Court has vacated the ex parte interim order dated 24.08.2015 and the application for stay was dismissed. The writ petitioners aggrieved by the order have come up in this appeal. The

interim order was passed in these appeals. On 09.01.2020 when the matter was heard, learned counsel for the appellants submitted that he has to obtain instructions. Learned counsel submitted that in event the appellants are given compensation as per Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as the "2013 Act") they have no objection. It is further submitted by the learned counsel for the appellants that the award, which has been passed under the Land Acquisition Act 1894 (hereinafter referred to as "1894 Act"), needs to be substituted by a fresh award under 2013 Act.

Learned counsel for the State submits that in fact in the award, which was passed on 07.01.2015, the award was approved by the State Government with the condition that 2013 Act shall be implemented and present prevailing compensation amount would be deducted and remaining amount should be paid to the beneficiary. He submits that the respondents are agreeable to pass fresh award under the 2013 Act within a period of two months from today.

In view of the aforesaid statements, we are of the view that these appeals deserve to be disposed of maintaining the impugned order of the High Court with the condition that the respondents shall prepare a fresh award as per the 2013 Act within two months from today. We further observe that after the award is given, within

two months thereafter the entire payment shall be made.

In view of the aforesaid, nothing remains in the writ appeals to be decided. The DB Civil Special Appeal (Writ) Nos.751/2015, 747/2015 & 748/2015 are also disposed of accordingly. Order accordingly.

.....J.
(ASHOK BHUSHAN)

.....J.
(R. SUBHASH REDDY)

New Delhi;
February 13, 2020

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).7984/2016

(Arising out of impugned final judgment and order dated 27-01-2016 in DBCMS No. 10170/2015, 27-01-2016 in SAW No. 751/2015 27-01-2016 in SBCWP No. 12613/2014 passed by the High Court Of Judicature For Rajasthan At Jaipur)

PRABHAT

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN AND ORS

Respondent(s)

WITH

SLP(C) No. 8034/2016 (XV)

SLP(C) No. 8070/2016 (XV)

Date : 13-02-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN

HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s)

Mr. Abhishek Singh, AOR

For Respondent(s)

Dr. Manish Singhvi, Sr. Adv.

Mr. Ajun Bhandari, AOR

Mr. Shitij Chakravarty, Adv.

Mr. Arpit, Adv.

Mr. Milind Kumar, AOR

Mr. Santosh Sharma, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The appeals are disposed of in terms of the signed order.

Pending application(s), if any, stands disposed of.

(ARJUN BISHT)

COURT MASTER (SH)

(RENU KAPOOR)

BRANCH OFFICER

(signed order is placed on the file)