

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.8018-8020 OF 2024
(Arising out of SLP(C) Nos.13528-13530/2022

MALLAMPUTI RATNAMMA (DIED) BY LRS.

APPELLANT(S)

VERSUS

THE SPECIAL DEPUTY COLLECTOR
(LAND ACQUISITION) & ANR.

RESPONDENT(S)

WITH

CIVIL APPEAL NO.8028 OF 2024
(Arising out of SLP(C) No.16406/2024
[Diary No.14676/2024]

CIVIL APPEAL NO.8021 OF 2024
(Arising out of SLP(C) No.16399/2024
[Diary No.31743/2021]

CIVIL APPEAL NO.8022 OF 2024
(Arising out of SLP(C) No.16400/2024
[Diary No.2955/2022]

CIVIL APPEAL NO.8023 OF 2024
(Arising out of SLP(C) No.16401/2024
[Diary No.3511/2022]

CIVIL APPEAL NO.8024 OF 2024
(Arising out of SLP(C) No.16402/2024
[Diary No.5356/2022]

CIVIL APPEAL NO.8025 OF 2024
(Arising out of SLP(C) No.16403/2024
[Diary No.5359/2022]

CIVIL APPEAL NO.8026 OF 2024
(Arising out of SLP(C) No.16404/2024
[Diary No.9301/2022]

CIVIL APPEAL NO.8027 OF 2024
(Arising out of SLP(C) No.16405/2024
[Diary No.19596/2022]

O R D E R

C.A. Nos.8018-8020/2024 @ SLP(C) Nos.13528-13530/2022 &
C.A No.8028/2024 @ SLP(C) No.16406/2024 @ Diary
No.14676/2024

1. Application for deletion of proforma respondents is

allowed. Cause title be amended accordingly.

2. Delay condoned.

3. Leave granted.

4. Having heard learned senior counsel for the parties, we find that these appeals are covered by a decision of this Court dated 16.02.2024 in Mallamputi Ratnamma (Died) By L.R. vs. The Special Deputy Collector (Land Acquisition) rendered in C.A. No.2557/2024.

5. The instant appeals are, accordingly, allowed strictly in terms thereof and the appellants are held entitled to compensation at the rate of Rs.3,000/- per Pomegranate Tree. The enhanced amount shall be paid within 10 weeks.

C.A. No.8021/2024 @ SLP(C) No.16399/2024 @ Diary No.31743/2021

C.A. No.8022/2024 @ SLP(C) No.16400/2024 @ Diary No.2955/2022

C.A. No.8023/2024 @ SLP(C) No.16401/2024 @ Diary No.3511/2022

C.A. No.8024/2024 @ SLP(C) No.16402/2024 @ Diary No.5356/2022

C.A. No.8025/2024 @ SLP(C) No.16403/2024 @ Diary No.5359/2022

C.A. No.8026/2024 @ SLP(C) No.16404/2024 @ Diary No.9301/2022

C.A. No.8027/2024 @ SLP(C) No.16405/2024 @ Diary No.19596/2022

6. Permission to file special leave petitions is granted.

7. Delay condoned.

8. Applications for deletion of proforma respondents

are allowed. Cause title be amended accordingly.

9. Leave granted.

10. There is no doubt that in view of the order passed by this Court dated 16.02.2024 in Mallamputi Ratnamma (Died) By L.R. vs. The Special Deputy Collector (Land Acquisition) rendered in C.A. No.2557/2024, the expropriated land owners, like the appellants, are entitled to compensation at the rate of Rs.3,000/- per Pomegranate tree. A dispute, however, has arisen:

(i) Whether the fruit-bearing trees (Pomegranate trees) were actually there or not?

(ii) If so, how many such trees per acre have been acquired?

11. Both being questions of fact, we allow these appeals in part and remit the case to the Reference Court-cum-Land Acquisition Court at Nellore District to determine both questions, after giving a reasonable opportunity of being heard to the parties. It is made clear that no objection of limitation etc., shall be entertained. If it is found that there actually were Pomegranate trees, at the time when the land was acquired, the appellants shall be entitled to compensation strictly in terms of the order passed by this Court in Mallamputi Ratnamma case (supra). The Reference Court shall determine both questions within a

period of six months. While assessing the compensation, the Reference Court shall keep in mind the denial of interest on the delay period as observed by this Court in paragraph 5 of the cited decision.

.....J.
(SURYA KANT)

.....J.
(K.V. VISWANATHAN)

New Delhi;
July 26, 2024

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).13528-13530/2022

(Arising out of impugned final judgment and order dated 05-11-2019 in LAAS No.65/2019 05-11-201`9 in LAAS No. 88/2019 05-11-2019 in LAAS No. 108/2019 passed by the High Court Of Andhra Pradesh At Amravati)

MALLAMPUTI RATNAMMA (DIED) BY LRS.

Petitioner(s)

VERSUS

THE SPECIAL DEPUTY COLLECTOR (LAND ACQUISITION) & ANR. Respondent(s)

WITH

Diary No(s).14676/2024 (XII-A)

(IA No. 82270/2024 - ADDITION/DELETION/MODIFICATION PARTIES, IA No.82268/2024-CONDONATION OF DELAY IN FILING)

Diary No(s).31743/2021 (XII-A)

(IA No. 14328/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.102446/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Diary No(s).2955/2022 (XII-A)

(IA No. 21593/2022 - ADDITION/DELETION/MODIFICATION PARTIES, IA No.21589/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s).3511/2022 (XII-A)

(IA No. 32345/2022 - CONDONATION OF DELAY IN FILING, IA No.32348/2022 - DELETING THE NAME OF PETITIONER/RESPONDENT, IA No.32346/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 32344/2022 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s).5356/2022 (XII-A)

(IA No. 38004/2022 - CONDONATION OF DELAY IN FILING, IA No.38006/2022 - DELETING THE NAME OF PETITIONER/RESPONDENT, IA No.38005/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 38003/2022 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s).5359/2022 (XII-A)

(IA No. 38109/2022 - CONDONATION OF DELAY IN FILING, IA No.38111/2022 - DELETING THE NAME OF PETITIONER/RESPONDENT, IA No.38110/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 38107/2022 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s).9301/2022 (XII-A)

(IA No. 54459/2022 - CONDONATION OF DELAY IN FILING, IA No.54462/2022 - DELETING THE NAME OF PETITIONER/RESPONDENT, IA

No.54460/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT,
IA No. 54458/2022 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s).19596/2022 (XII-A)

(IA No.99207/2022-CONDONATION OF DELAY IN FILING and IA
No.99208/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
and IA No.99206/2022-PERMISSION TO FILE PETITION (SLP/TP/WP/..) and
IA No.99209/2022-DELETING THE NAME OF PETITIONER/RESPONDENT)

Date : 26-07-2024 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. Debojit Borkakati, AOR

Mr. Anand Padmanabhan R., Sr. Adv.
Ms. Ruchi Arya, Adv.
Mr. V. Sridhar Reddy, Adv.
Mr. Abhijit Sengupta, AOR
Mr. Rohit Jaiswal, Adv.
Mr. Swayam Prakash Kashyap, Adv.

For Respondent(s) Mr. Santosh Krishnan, AOR

Mr. Devadatt Kamat, Sr. Adv.
Ms. Prerna Singh, Adv.
Mr. Guntur Pramod Kumar, AOR
Mr. Dhruv Yadav, Adv.
Mr. Keshav Singh, Adv.
Mr. Rajesh Inamdar, Adv.
Mr. Ajay Desai, Adv.

UPON hearing the counsel the Court made the following
O R D E R

C.A. Nos.8018-8020/2024 @ SLP(C) Nos.13528-13530/2022 & C.A
No.8028/2024 @ SLP(C) No.16406/2024 @ Diary No.14676/2024

1. Application for deletion of proforma respondents is allowed.
Cause title be amended accordingly.
2. Delay condoned.
3. Leave granted.
4. The appeals are allowed in terms of the signed order.
5. All pending applications, if any, also stand disposed of.

C.A. No.8021/2024 @ SLP(C) No.16399/2024 @ Diary No.31743/2021

C.A No.8022/2024 @ SLP(C) No.16400/2024 @ Diary No.2955/2022

C.A. No.8023/2024 @ SLP(C) No.16401/2024 @ Diary No.3511/2021

C.A No.8024/2024 @ SLP(C) No.16402/2024 @ Diary No.5356/2021

C.A. No.8025/2024 @ SLP(C) No.16403/2024 @ Diary No.5359/2021

C.A No.8026/2024 @ SLP(C) No.16404/2024 @ Diary No.9301/2022

C.A No.8027/2024 @ SLP(C) No.16405/2024 @ Diary No.19596/2022

6. Permission to file special leave petitions is granted.
7. Delay condoned.
8. Applications for deletion of proforma respondents are allowed.
Cause title be amended accordingly.
9. Leave granted.
10. The appeals are allowed in part in terms of the signed order.
11. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)

ASTT. REGISTRAR-cum-PS

(signed order is placed on the file)

(PREETHI T.C.)

ASSISTANT REGISTRAR