

(Spl.H.C.D.D 28E)
G.P.Bve-(J)-191-18,000-6-89.
G.R.J.D No. 4398 dated 3.7.16.

FIRST APPEAL NOS. 158/90 TO 162/90, 163/90 AND 164/90.
Civil Revision Application No.
Special Civil Application No.

Date of decision:10.8.94

For Approval and Signature

Hon'ble Mr. Chief Justice : B.N.Kirpal

Hon'ble Mr. Justice : R.K.Abichandani

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1. Whether Reporters of Local Paper
may be allowed to see the
judgement?

2. Tobe referred to the Reporter or
not?

3. Whether Their Lordships wish to
see the fair copy of the
judgement?

4. Whether this case involves a sub-
stantial question of law as to
the interpretation of the
Constitution of India, 1950 or
any Order made thereunder?

5. Whether it is to be circulated to
the Civil Judge?

Appearance:

Mr. N.D.Nanavati, G.P. for appellant No.1
Mr. S.N.Shelat, Advocate for appellant
No.2
Mr.B.B.Naik, Advocate for the respondent

Coram : B.N.Kirpal, C.J. & R.K.Abichandani,J.

10.8.94

ORAL JUDGEMENT: (Per B.N.Kirpal, C.J.)

Counsel for the parties have agreed, after some arguments, that instead of rate of Rs. 35/- per square metre, awarded by the Second Joint District Judge, Ahmedabad (Rural), at Mirzapur, the claimants be paid compensation at the rate of Rs. 10/- per square metre plus interest and solatium. The claimants have already received 25 per cent of the additional amount awarded. The balance amount, if any, should be paid to the claimants within eight weeks from today. It is further agreed by the parties that if the amount of compensation and interest already realised by the claimants pursuant to the interim orders passed by the Court is more than Rs. 10/- per square metre, then no recovery shall be made from such claimants.

As this order is passed on the peculiar facts and circumstances of the case and on the basis of the consent of the parties, this order obviously cannot be cited as or regarded as a precedent. All the appeals stand disposed of in the aforesaid terms. There shall be no order as to costs.
