

STATE OF U.P.  
v  
RATAN LAL ETC.

AUGUST 28, 1995

[K. RAMASWAMY AND B.L. HANSARIA, JJ.]

*Land Acquisition Act, 1894 : Acquisition—Compensation—Directions regarding.*

**Disposing the appeal against the High Court's order, this Court**

**HELD : The appellant-State shall deposit 50% of the amount awarded by Reference Court failing which the stay shall be vacated. The respondents can withdraw half the amount without security and the balance against security. This will be subject to the result of appeals pending in the High Court. [113-H; 114-A]**

CIVIL APPELLATE JURISDICTION : Civil Appeal No. 7974 of 1995 Etc.

From the Judgment and Order dated 18.11.94 of the Allahabad High Court in F.A. No. 85 of 1992.

A.B. Rohtagi, Nalin Tripathi and R.B. Misra for the Appellant.

Ranbir Yadav for the Respondent in C.A. No. 7975/95.

The following Order of the Court was delivered :

Leave granted.

Though the respondents have been served, they did not appear in appeals arising out of SLPs 3672/95 and 3753/95 either in person or through counsel. Mr. Ranbir Yadav is appearing for respondent, Banwari Lal in appeal arising out of S.L.P. No. 3750/95. We have heard the counsel on both sides. On the facts and circumstances, we think that the interests of justice will be served and we so direct the appellant to deposit 50% of the amount awarded by the Reference Court within a period of two months from today. On the deposit so made, respondents will be at liberty to

A withdraw half the amount without security and the balance half on furnishing the security to the satisfaction of the Reference Court. The deposits and withdrawal will be subject to the result in the appeals now pending in the High Court. In default of the deposit as stated above, the stay shall stand vacated. No Costs.

T.N.A.

Appeal disposed of.