

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 1541 OF 2022
[@ SPECIAL LEAVE PETITION (C) NO. 23622 OF 2018]

BHARAT SANCHAR NIGAM LIMITED

APPELLANT (S)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

RESPONDENT(S)

O R D E R

Leave granted.

The District Collector, Akola, allotted the land admeasuring 43000 sq. ft. in the year 1999 at the market value of Rs. 259 per sq. ft. to the appellant, a public sector undertaking. The total consideration demanded was Rs. 2,24,77,000/-. Such amount was paid on 28.3.2000.

The Collector issued a letter on 21.12.2017 demanding Rs.9,91,00,800/- as the market value of the land allotted and directed the appellant to deposit the difference between the two.

In the writ petition filed before the High Court, against the said demand, the High Court issued notice, but directed deposit of 50% of the amount demanded, as a pre-condition for stay.

Prima facie, we find that once the allotment was made in the year 1999, the District Collector may not be within its jurisdiction to claim market value in the year 2017. We do not say anything more as the

matter is pending before the High Court.

However, there shall be stay of recovery of the amount as demanded vide letter dated 21.12.2017. The order of deposit of 50% of the amount as demanded from the appellant is set aside. The demand shall remain stayed till final disposal of the writ petition.

We do hope that the High Court will be able to decide the writ petition at an early date in accordance with law.

In view of above, the appeal is disposed of.

Pending interlocutory application(s), if any, is/are disposed of.

.....J.
[HEMANT GUPTA]

.....J.
[V. RAMASUBRAMANIAN]

New Delhi;
FEBRUARY 21, 2022.

ITEM NO.29 Court 11 (Video Conferencing) SECTION IX

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). 23622/2018

(Arising out of impugned final judgment and order dated 15-03-2018 in WP No. 1543/2018 passed by the High Court Of Judicature At Bombay At Nagpur)

BHARAT SANCHAR NIGAM LIMITED

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA
& ANR.

Respondent(s)

Date : 21-02-2022 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA
 HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s) Mr. Dinesh Agnani, Sr. Adv.
 Mr. Piyush Sharma, AOR
 Ms. Leena Tuteja, Adv.

For Respondent(s) Mr. Kunal Cheema, Adv.
 Mr. Rahul Chitnis, Adv.
 Mr. Sachin Patil, AOR
 Mr. Aaditya A. Pande, Adv.
 Mr. Geo Joseph, Adv.
 Ms. Shwetal Shepal, Adv.

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

Leave granted.

The Civil Appeal is disposed of in terms of the signed order.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU BALA GAMBHIR)
COURT MASTER

(Signed order is placed on the file)