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## SC clears land acquisition air

**New Delhi, Feb. 8:** Land acquisition cannot be challenged once the owner has accepted compensation and the government has taken physical possession of the plot, the Supreme Court has reiterated.

The judgment adds that the award of compensation by the land acquisition officer (usually the district magistrate) becomes final once possession of the land has been taken. This means that after compensation has been accepted, no case can be fought for a higher amount.

Delivering the judgment yesterday, the court disposed of a petition by a group of people whose land was acquired by the Jaipur Development Authority (JDA) two decades ago.

The ruling comes weeks after Calcutta High Court approved the Bengal government's acquisition of land at Singur to set up Tata Motors' small-car factory, holding that the land had been taken over in "public interest".

The Rajasthan government, through the JDA, had acquired over 14.8 bighas at Madrampura on Jaipur's outskirts to extend the city's civil lines area, but a series of court cases stalled the project.

Rajasthan had issued the statutory notices inviting objections to the acquisition in 1975. Later, the land acquisition officer rejected the objections and ruled the land be handed over to the state.

Some of the land-losers moved Calcutta High Court, which granted a stay on the acquisition. The Supreme Court set the order aside on the ground of lack of jurisdiction.

The JDA took possession of the land in February 1987. In June 1989, the land acquisition officer passed the compensation award and the state government approved it a month later.

The land-losers approached Rajasthan High Court, where a single judge and later a division bench dismissed their plea against the acquisition. The high court held that there was genuine public purpose behind the acquisition.

The Supreme Court upheld the high court order saying: "There is no reason to disbelieve the claim of the state government that possession had been taken before the filing of the writ petition (in Rajasthan High Court)."

It added: "This court has repeatedly held that a writ petition challenging the notification for acquisition of land, if filed after possession (has) been taken, is not maintainable."