

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.10868 OF 2016

(Arising out of SLP (C)No.33674/2016 @ CC 20729/2016)

MANAGING DIRECTOR, U.P. RAJYA SAHAKARI  
KRISHI EVAM GRAMYA VIKAS BANK LTD &  
ANR. ... APPELLANT (S)

VS.

SUBHASH CHANDRA AWASTHI & ANR. ... RESPONDENT (S)

J U D G M E N T

ANIL R. DAVE, J.

Delay condoned. Leave granted.

1. Heard the learned counsel for the appellants. He has drawn our attention to a judgment of this Court delivered on 31<sup>st</sup> January, 2013, in Civil Appeal No.8415/2009 in the case of Assistant Engineer, Rajasthan Development Corporation & Anr. Vs. Gitam Singh, reported in (2013) 5 SCC 136.

2. Looking at the facts of the present case, in our opinion, Rs.75,000/- (Rupees Seventy Five Thousand only) would be the just compensation, which might be paid to Respondent No.1 by the appellants.

3. The appellants shall give an 'Account Payee Cheque' for Rs.75,000/- (Rupees Seventy Five Thousand only) to Respondent No.1 towards full and final payment for the amount, which might be payable to him. The cheque will

be sent to Respondent No.1 through speed post within two weeks from today along with a copy of this order.

4. If Respondent No.1 is agreeable to receive the amount in full settlement of all his claims against the appellants, he shall accept the cheque.

5. If Respondent No.1 is not prepared to accept the said amount, it would be open to him to approach this Court by way of an application, so that the matter can be reconsidered and in that event, he shall return the cheque to the appellants.

6. In view of the above order, the impugned order is set aside and the appeal is allowed. No costs.

.....J.  
[ANIL R. DAVE]

.....J.  
[A.M. KHANWILKAR]

New Delhi;  
11<sup>th</sup> November, 2016.

JUDGMENT