

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 11773 OF 2016
[@ SPECIAL LEAVE PETITION (C) NO. 10317 OF 2015]

HAMDARD LABORATORIES

Appellant(s)

VERSUS

HARYANA STATE INDUSTRIAL AND
INFRASTRUCTURE DEVELOPMENT CORPORATION
AND ORS.

Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.
2. While issuing notice on 15.02.2016, the scope of the appeal was limited to the following question :-

"Whether the High Court failed to appreciate that the petitioner is entitled to 20% rebate on the additional cost of land payable to the HSIIDC, since there is no such restriction, carved in the notification?"

3. Having heard the learned counsel on both sides, we are satisfied that the appellant is entitled to 20% rebate on the additional cost of land since that factor is included in the enhanced cost of land. Therefore, the appeal is allowed declaring that the appellant shall be entitled to 20% rebate since the appellant has already paid the enhanced compensation.

4. The amounts due in terms of the Judgment would be paid to the appellant within a period of two months from the date of receipt of a copy of this Judgment.

No costs.

.....J.
[KURIAN JOSEPH]

.....J.
[ROHINTON FALI NARIMAN]

New Delhi;
December 05, 2016.



JUDGMENT