

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION NO(S) . OF 2026

(DIARY NO(S) . 7961 OF 2026)

IN

CIVIL APPEAL NO(S) . 1367-1368 OF 2018

ALL INDIA TEA AND TRADING CO. LTD.

APPELLANT(S)

VERSUS

INDIAN OIL CORPORATION LTD. & ORS.

RESPONDENT(S)

O R D E R

1. Delay condoned.

2. These Miscellaneous Applications have been moved by the applicant - Indian Oil Corporation Ltd. (IOCL), seeking clarification of our order dated 18.02.2025, whereby Civil Appeal Nos. 1367-1368 of 2018 were allowed and disposed of in the following terms:

"15 For the reason aforesaid, the appeals are allowed in part. The impugned judgment of the High Court to the extent of imposing a cut of 10% towards development charges is set aside and the compensation as awarded by the District Judge, Cachar, Silchar vide award dated 24.12.2001 is restored. The appellant shall be entitled to compensation along with other statutory benefits, including interest at the rate as determined by the Reference Court. The Reference Court-cum-District Judge, Cachar, Silchar is directed to calculate the compensation payable to the appellant in terms of the directions laid out hereinabove. On doing so, the IOC is directed to deposit the enhanced amount of compensation before the Reference Court within six weeks from the date of such a determination."

3. According to IOCL, the beneficiary of the acquisition, total compensation in terms of our order dated 18.02.2025 comes to

Rs.2,99,95,703/-, which includes the statutory interest @15% p.a. upon which 10% p.a. further interest has been added on account of the perceived delay.

4. On the other hand, learned senior counsel for the landowners states that the Reference Court rightly re-fixed the compensation amount to the tune of Rs.7,89,76,349/-.

5. We have heard the Additional Solicitor General of India on behalf of IOCL and learned senior counsel on behalf of the landowners. The record has been perused.

6. Our order dated 18.02.2025 is quite clear. The land owners have been held entitled to compensation as was awarded by the District Judge, Cachar, Silchar vide Award dated 24.12.2001. This would mean that the land owners shall be entitled to:

(i) The amount of compensation as may be determined in accordance with Section 23 of the Land Acquisition Act, 1894 ("1894 Act"), i.e., the Award dated 24.12.2001.

(ii) The solatium @30% p.a. in terms of Section 23(2) of the 1894 Act.

(iii) The additional amount @12% p.a. as per Section 23(1)(a) on the amount of compensation calculated in terms of Section 23(1) of the 1894 Act.

(iv) So far as the interest is concerned, Section 34 of the 1894 Act leaves no room for any ambiguity. The rate of interest as prescribed in the Statute for the first year from the date of taking possession of land shall be @9% p.a., and thereafter till the amount of compensation is paid, such rate of interest shall be enhanced to 15% p.a.

7. As there is a serious dispute with respect to the computation of the interest component, we direct the applicant to deposit the undisputed amount within four weeks in the name of the Company, which shall be immediately released unconditionally to the land owners without prejudice to the rights of the parties. Thereafter, the Reference Court is directed to re-determine the interest component in accordance with Section 34 of the 1894 Act after hearing both sides. The party aggrieved by such a determination shall be at liberty to approach the High Court.

8. IA No. 42837/2026 and Miscellaneous Applications are, accordingly, disposed of with pending application(s), if any.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(VIPUL M. PANCHOLI)

NEW DELHI;
MAY 27, 2026.

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 SMISCELLANEOUS APPLICATION Diary No(s). 7961/2026

[Arising out of impugned judgment and order dated 18-02-2025 in C.A. Nos. 1367-1368/2018 passed by the Supreme Court of India]

ALL INDIA TEA AND TRADING CO. LTD. Petitioner(s)

VERSUS

INDIAN OIL CORPORATION LTD. & ORS. Respondent(s)

(IA No. 42837/2026 - CLARIFICATION/DIRECTION and IA No. 131720/2026 - CONDONATION OF DELAY IN FILING)

Date : 27-05-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) : Mr. Raghavendra P. Shankar, A.S.G.
Mrs. Priya Puri, AOR
Ms. Pallavi Mishra, Adv.
Mr. Neelabh Bisht, Adv.
Mr. Sachin Dubey, Adv.
Mr. Abhishek Mishra, Adv.
Mr. Sharad Kumar Puri, Adv.
Ms. Riya Dogra, Adv.

For Respondent(s) : Mr. P.S. Datta, Sr. Adv.
Ms. Anvesha Saha, Adv.
Mr. Fuzail Ahmad Ayyubi, AOR

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

Delay condoned.

IA No. 42837/2026 and Miscellaneous Applications are disposed of with pending application(s), if any, in terms of the signed order.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
ASSISTANT REGISTRAR

(Signed order is placed on the file)