

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO.3946/2013

NORTH EAST TRANSMISSION CO. LTD. **Appellant(s)**

VERSUS

PETER H RYNJAH (D) THR LRS. & ORS. **Respondent(s)**

O R D E R

1. This appeal is directed against the order passed by the Division Bench of the Gauhati High Court dismissing the appellant's appeal against the order passed by the learned Single Judge which in turn had allowed the respondents' writ petition directing the Deputy Commissioner to entrust the case to the learned Senior most Assistant Deputy Commissioner (ADC) of the Station who shall deal with the matter without being influenced by the Deputy Commissioner concerned who had passed the order dated 17.01.2013.

2. The appellant challenged the directions issued by the learned Single Judge by preferring intra-court appeal which was dismissed by observing that the matter is required to be independently examined by the statutory authority and only thereafter, the appellant can be allowed to take further steps.

3. The issue pertains to use of respondents' land for erection of high power transmission line known as "400 kV Silchar-Bongaigaon D/C transmission line". Admittedly, one tower of the said project was to be erected over the respondent's land on which the high tension line would be installed. The respondents objected to erection of the tower and the line on the ground that the same is being done without acquiring the land and without paying any compensation.

4. During the pendency of this civil appeal, learned counsel for the appellant made a statement before this Court that the work of laying of high tension line on the subject area was re-aligned and now the high tension line is not passing through the land belonging to the respondents. On this statement being made, this Court directed the appellant to file an affidavit to which the respondent shall file counter affidavit.

5. Complying with the above direction, the appellant filed its affidavit to which reply affidavit was filed on behalf of Respondent Nos.1(i)-(vii). It was stated in the reply affidavit that the appellant had determined the compensation by assessing the value of trees @ Rs.6,48,252/- and Rs.4,97,484/- and despite drawing the cheque for the sum of Rs.5,82,336 and

Rs.4,46,239/-, the appellant had withheld the payment of compensation for the trees taking advantage of the interim order passed by this Court.

6. Copies of the above stated cheques along with the calculation have been annexed to the reply affidavit. In the rejoinder affidavit filed by the appellant, the statements made by the respondent in the reply affidavit has not been traversed. Thus, the said statements has remained un-controverted and it deserves to be accepted.

7. It appears on the date the learned single Judge and division Bench of the High Court has decided the matter, the compensation was yet to be determined, however, now the calculation has been done and the cheque has been prepared.

8. Therefore, in the above view of the matter, we dispose of this civil appeal directing the appellant to make payment of the amount for which the cheque has already been drawn to the respondent along with interest @6% per annum. The amount already paid to the respondent at any point of time during the assessment of compensation for the period for which the respondent's land were used shall be adjusted. The payment shall be made within three months from today

subject to the respondents submitting the proof of ownership of the land.

9. The Civil Appeal stands disposed of.

10. Pending application(s), if any, shall also stand disposed of.

.,J
[PRASHANT KUMAR MISHRA]

.,J
[SHREE CHANDRASHEKHAR]

NEW DELHI;
JULY 30, 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 S

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Respondent(s)

Date : 30-07-2026 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA
HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

For Appellant(s) : Ms. Sharmila Upadhyay, AOR
Mr. Pawan Upadhyay, Adv.
Mr. Sarvjit Pratap Singh, Adv.
Mr. Sanjeev Kumar, Adv.
Mr. Anmol Wadhwa, Adv.

For Respondent(s) : Mr. Rajeev Singh, AOR

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

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

Pending application(s), if any, shall also stand
disposed of.

(KRITIKA TIWARI)
COURT MASTER (SH)

(AKSHAY KUMAR BHORIA)
COURT MASTER (NSH)

{signed order is placed on file}