

A M/S NATIONAL ALUMINIUM CO. LTD.
v.
RAJ KISHORE @ SAHU JENA AND ANR.

JANUARY 9, 1996

B [K. RAMASWAMY AND G.B. PATTANAIK, JJ.]

Land Acquisition Act, 1894 :

C *Compensation and other benefits—Held, covered by earlier decision—
Party being beneficiary entitled to be impleaded in the pending proceedings
before the Sub-Judge.*

*U.P. Avas Evam Vikas Parishad v. Gyan Devi (Dead) by Lrs. & Ors., JT
(1994) 7 SC 304, held applicable.*

D CIVIL APPELLATE JURISDICTION : Civil Appeal No. 2239 of 1996.

From the Judgment and Order dated 11.3.93 of the Orissa High Court
in C.R. No. 72 of 1992.

Ashok Kr. Gupta for the Appellant.

E Ms. Kirti Misra for the Respondents

The following Order of the Court was delivered :

Leave granted.

F Though notice was served on the respondents, no one has appeared for
the first respondent-claimant. The controversy is no longer *res-integra*. They
are covered by the judgment of this Court in *U.P. Avas Evam Vikas Parishad
v. Gyan Devi (Dead) by Lrs. & Ors., JT (1994) 7 SC 304*. In that view, the
appellant being beneficiary is entitled to be impleaded as a party in the
pending proceedings in the court of Subordinate Judge, Angul.

G The appeal is accordingly allowed. No costs.

G.N.

Appeal allowed.