

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION NO. _____ OF 2026
(DIARY NO.875/2026)

IN
MISCELLANEOUS APPLICATION NO. 1429 OF 2024
IN
CIVIL APPEAL NO.2672 OF 2024

THE BOARD OF COUNCILOR
SAINTHIA MUNICIPALITY & ANR.

APPELLANT(S)

VERSUS

SUNDAR DEVI ACHALIA & ORS.

RESPONDENT(S)

W I T H

MISCELLANEOUS APPLICATION NO. _____ OF 2026
(DIARY NO.11800/2026)

IN
MISCELLANEOUS APPLICATION NO. 1429 OF 2024
IN
CIVIL APPEAL NO.2672 OF 2024

O R D E R

1. Application for permission to file Miscellaneous Application is allowed.

2. Delay condoned.

3. The Municipality of Sainthia and its authorities approached this Court through Civil Appeal No. 2672 of 2024 against the judgment dated 15.12.2023, passed by a Division Bench of the High Court at Calcutta, affirming the view taken by the learned Single Judge, in terms whereof, the State of West Bengal was directed to acquire the subject land in accordance with the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and pay consequential

compensation to respondent Nos.1 to 3. The aforesaid appeal was disposed of by this Court vide judgment dated 19.02.2024 in the following terms:

"11. In the light of the above facts, we deem it appropriate to appoint Sri Santosh Kumar Roy, retired District Judge (WBHJS), Champak Niwas, Singragoripara, Panja Atta Mil, PO & PS - Rampurhat, Pin - 731224, Dist.-Birbhum, West Bengal (Mob.No.9474074834) as the sole arbitrator to determine the market value and consequential compensation payable to respondent Nos.1-3 as on 01.01.2014, i.e., when the 2013 Act came into force. The learned arbitrator shall be paid fee as per the IVth Schedule of the Arbitration and Conciliation Act, 1996. Respondents Nos.1-3 shall be entitled to seek determination of compensation for the subject land in accordance with and along with all the statutory benefits as are admissible under the 2013 Act.

12. However, the procedural requirements as contemplated under the 2013 Act are hereby dispensed with and simplified. The arbitrator shall invite the claim from respondent Nos.1-3 to which the appellant-Municipality or the State of West Bengal may file their counter affidavits, whereupon the learned Arbitrator shall determine the issues to be answered and proceed to record the evidence from both the sides. No further procedural requirements shall be required to be complied with.

13. The learned arbitrator shall make an endeavour to pass the award as early as possible but not later than six months from the date of this order. The aggrieved party shall be at liberty to avail its remedy in accordance with the provisions of the Arbitration and Conciliation Act, 1996, if so advised.

14. The requisition premium of Rs.80,555/- is directed to be released to respondent Nos.1-3 along with interest accrued thereon. In case the said amount was not kept in FDR and has not earned any interest, the same shall be released to respondent Nos.1-3 along with interest at the rate of 7% per annum within one month.

15. As soon as the award will be passed, the appellant

Municipality and the State Government are directed to pay 50% of the compensation amount, so awarded to the respondent-land owners, unconditionally and the balance 50% shall be paid subject to their furnishing adequate security. In case the award is not challenged by the parties, in that event, the respondent-land owners shall be discharged of the security furnished for the 50% compensation amount, after six months of passing the award."

4. Thereafter, Miscellaneous Application No. 1429/2024 was filed by one Sunil Anchalia, claiming to be a co-owner in the acquired land and consequently seeking apportionment of the compensation. Simultaneously, the original respondents also filed M.A. Diary No. 29029/2024, seeking clarification and directions for disbursal of compensation awarded by the Arbitrator in their favour. Those applications were disposed of on 30.08.2024 in the following terms:

"6. We find no ground to either modify or further clarify the order dated 19.02.2024 except that the State Government is directed to deposit the amount of compensation which is awarded by the learned Arbitrator with the Reference Court within four weeks of passing the award.

7. If the applicant-Sunil Anchalia has any grievance, he may seek appropriate relief before the Reference Court. In case the Reference Court is satisfied that his claim is not maintainable, the compensation amount so awarded by the Arbitrator shall be released forthwith to the respondents, in accordance with law. In case the parties raise any other trivial issue, the Reference Court will resolve the same in accordance with law."

5. Some more applications/contempt proceedings also came to be filed, which were also disposed of from time to time. Now, two more applications, making different prayers, have been filed.

6. M.A. Diary No.875/2026 has been filed by Naveen Kumar Anchalia, seeking a clarification with respect to apportionment of the amount as awarded by the Arbitrator, while M.A. Diary No.11800/2026 has been filed by Narendra Kumar Anchalia, one of the original respondents, seeking a direction for release of 50% of the awarded amount, irrespective of disputes regarding apportionment, in terms of previous directions issued by this Court.

7. Learned counsel for the parties do not dispute that their *inter se* dispute regarding apportionment, in terms of the earlier order passed by this Court, is sub-judice before the Reference Court. In this view of the matter, we dispose of these Miscellaneous Applications, as well as with the following directions:

(i) The Reference Court is directed to release 25% of the deposited amount in favour of the original respondents, including Narendra Kumar Anchalia, within one week. This release shall be subject to his furnishing an undertaking on affidavit that after the adjudication of the apportionment/title suit, the excess amount, if any, shall be refunded along with interest, as may be determined by the Court. Such undertaking shall be furnished before the Reference Court;

(ii) The Reference Court is directed to keep the balance amount in a Fixed Deposit in a Nationalised Bank, which would fetch the maximum rate of interest;

(iii) The Reference Court is further directed to decide the

inter se apportionment/title dispute between the parties as early as possible and preferably within three weeks. The disbursement of the balance amount shall depend upon the outcome of those proceedings.

.....CJI.
(SURYA KANT)

.....J.
(V. MOHANA)

NEW DELHI;
JUNE 15, 2026.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

MISCELLANEOUS APPLICATION Diary No(s) . 875/2026

[Arising out of impugned judgment and order dated 19-02-2024 in MA No. 1429/2024 in C.A. No. 2672/2024 passed by the Supreme Court of India]

THE BOARD OF COUNCILOR SAINTHIA MUNICIPALITY & ANR. Petitioner(s)

VERSUS

SUNDAR DEVI ACHALIA & ORS. Respondent(s)

(IA No. 133549/2026 - APPLICATION FOR PERMISSION, IA No. 7019/2026 - CLARIFICATION/DIRECTION and IA No. 54372/2026 - CONDONATION OF DELAY IN FILING)

WITH

Diary No(s) . 11800/2026 (XVI)
(IA No. 62639/2026 - CLARIFICATION/DIRECTION)

Date : 15-06-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MRS. JUSTICE V. MOHANA

(PARTIAL COURT WORKING DAYS BENCH)

For Petitioner(s) : Mr. Arun K. Sinha, AOR
Mr. Daksh Kadian, Adv.
Mr. Arindam Chandra, Adv.
Mr. Atish Ghosh, Adv.
Mr. Sumit Sinha, Adv.

Mr. Puneet Jain, Sr. Adv.
Ms. Christi Jain, AOR
Mr. Aditya Jain, Adv.
Mr. Siddharth Jain, Adv.
Mr. Om Sudhir Vidyarthi, Adv.
Mr. Yogit Kamat, Adv.

Mr. Kausik Chatterjee, Adv.
Ms. Soumya Dutta, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following

O R D E R

1. Application for permission to file Miscellaneous Application is allowed.
2. Delay condoned.
3. The Miscellaneous Applications stand disposed of in terms of the signed order.
4. Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
ASSISTANT REGISTRAR

(Signed order is placed on the file)