REVISED

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4602 OF 2016
(Arising out of SLP (C) No.23596 of 2015)

SOORAJ KUMAR **APPELLANT**

VERSUS

TAHSILDAR & ANR. **RESPONDENTS**

J U D G M E N T

KURIAN, J.

1. Leave granted.

2. The appellant is aggrieved of the recovery proceedings initiated against him culminating in the auction sale of the property belonging to him.

3. It appears that the Government had auctioned the property to itself on a nominal price of Re.1/- apparently in full and final settlement of dues.

4. It is submitted that the whole proceedings of auction are vitiated since there was no proper inquiry on the market value

5. Be that as it may, the learned counsel for the appellant, on instruction, submits that the appellant is prepared to settle the whole dues as per the Amnesty Scheme to which the appellant is entitled to.

SUPREME COURT OF INDIA
JUDGMENT

6. We make it clear that in case there is any Amnesty Scheme available to the appellant and in case the appellant is prepared to pay the amounts as per the Scheme, the auction proceedings may be recalled and the property be restored in favour of the appellant.

7. The learned counsel for the appellant further submits that an application has already been filed by the appellant in that regard. If that be so, appropriate action on the application filed by the appellant be taken within a period of three months from today.

8. The amount of Rs.10 lakhs deposited as per this Court's order dated 17.08.2015 shall be adjusted towards the amounts due from the appellant as per the Amnesty Scheme.

9. With the above observations and directions, the appeal is disposed of. No costs.

.....J.
[KURIAN JOSEPH]

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

NEW DELHI;
MAY 03, 2016

SUPREME COURT OF INDIA
JUDGMENT