



## KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Companies Act, 1956)

Reg. Office: Vydyuthi Bhavanam, Pattom, Thiruvananthapuram – 695 004, Kerala

CIN :U40100KL2011SGC027424

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### Abstract

Compliance/Appeal of judgments in OP (Electricity) cases adjudicated by the Hon'ble District Court, Thiruvananthapuram – Sanctioned – Orders issued.

### CORPORATE OFFICE (LAW)

BO (FTD) No. 897/2022 [LF I (LF II)/5127/2017]

Dated, Thiruvananthapuram, 15.11.2022

Read:-

- 1) Judgments in 32 OP (Electricity) cases adjudicated by the Hon'ble District Court, Thiruvananthapuram.
- 2) Minutes of the meeting of the Legal Committee held on 25.06.2022
- 3) Note No. LF I/LFII/5127/2017 dated 02.11.2022 of the Senior Law Officer in charge of Legal Advisor and Disciplinary Enquiry Officer to the Full Time Directors (Agenda Item No. 26/11/22).

### ORDER

The KSEB Limited has constituted a Committee for weeding out unwarranted/avoidable cases and to have an efficient hassle free litigation management. The First meeting of the Committee held on 25.06.2022 discussed various issues related to the cases especially on the judgments in certain OP Electricity cases adjudicated by the Hon'ble District Court, Thiruvananthapuram. In all these cases the Court has allowed enhanced compensation to the petitioners. Major portion of the compensation in these judgments comprises of diminution of land value which is calculated by allowing certain percentage of the market value of the affected land, as assessed by the Court. The percentage of enhancement allowed in these cases is varied from cases to case. In the cases under consideration, the Court has allowed 20% to 65% of the market value as compensation. No correlation or uniformity can be seen in these judgments on the fixing of diminution of land value. Hence to arrive at a timely decision on the

further course of actions in the said judgments, the Legal Committee decided in principle to comply with/filing appeal against the judgments based on the criteria adopted by the Court in fixing the diminution of land value in the following manner:

(a) to comply with the judgments, wherein the diminution of land value allowed is at or below 40% of the market value fixed by the Court.

(b) to comply with the judgments wherein the percentage of diminution of land value is above 40% of the market value fixed by the Court, but the award amount involved is less than Rupees 3 Lakhs, and

(c) other judgments and decrees may be challenged in appeal.

The matter was placed before the Full Time Directors as per note read as 3<sup>rd</sup> above. Having considered the matter in detail, the Full Time Directors in the meeting held on 04.11.2022 resolved that the judgments in the OP (Ele) cases adjudged by the District Court, Thiruvananthapuram may be complied with/file appeal against as suggested below:-

- a) to comply with the judgments, wherein the diminution of land value allowed is at or below 40% of the market value fixed by the Court.
- (b) to comply with the judgments wherein the percentage of diminution of land value is above 40% of the market value fixed by the Court, but the award amount involved is less than Rupees 3 Lakhs.
- (c) Judgments and decrees allowing diminution of land value is above 40% of the market value and award amount is more than 3 lakhs may be challenged before the Hon'ble High Court by filing Civil Revision Petitions.

Orders are issued accordingly.

By Order of the Full Time Directors,  
Sd/-  
LEKHA.G  
COMPANY SECRETARY

To

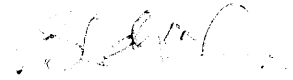
1. The Deputy Chief Engineer, Transmission Circle, Power House, Thiruvananthapuram.
2. The Legal Liaison Officer, O/o Standing Counsel for KSEBL, Power House, Kochi.

(P.T.O)

Copy to:

The Financial Adviser/Chief Internal Auditor/ Company Secretary.  
The Chief Engineer, Transmission (North), Kozhikode.  
The Chief Engineer (HRM), Vidyuthi Bhavanam, Thiruvananthapuram.  
The TA to Chairman & Managing Director/The PA to Director (Finance & HRM)  
The TA to Director (REES, SOURA, NILAVU, SPORTS & WELFARE)/Director  
(Generation Civil)/Director (Generation (Electrical))/Director (D, IT &SCM)/  
Director (Trans., SO, Planning & Safety).  
The CA to Company Secretary  
Stock File.

Forwarded / By Order



Senior Superintendent