

Sri K. V. Shivakumar and another v. Appropriate Authority and others

Civil Appeal Nos. 1415-1416 of 2000 with transferred cases

[2000] 1 SCR 991 | 2000-02-17

Fresh Chapter XX-C purchase order, continued vesting and the meaning of failure to tender consideration

Income-tax Act, 1961: former Chapter XX-C, sections 269-UA, 269-UC, 269-UD, 269-UE, 269-UF, 269-UG and 269-UH

Three-judge bench; judgment delivered by D. P. Mohapatra, J. | S. B. Majmudar, J. | D. P. Mohapatra, J. | R. P. Sethi, J.

Historical property-acquisition regime

The judgment concerns a fresh compulsory-purchase order following C. B. Gautam and the effect of payment deductions on vesting.

01 FACTS OF THE CASE

Two trusts agreed to transfer a Bangalore property for Rs.1.55 crore. After an initial compulsory-purchase order, payment and possession, related proceedings reached the Supreme Court in the wake of C. B. Gautam. A fresh hearing again resulted in purchase. Auction bidders and the transfer parties then challenged procedure, deductions from consideration and alleged revesting.

Source: [Primary judgment: procedural and transaction facts](#)

02 DISCUSSION BY THE HON'BLE COURT

The prior appellate order neither required a wholly new proceeding nor moved the process back to an anterior stage. Full consideration had earlier been received and possession delivered, so vesting continued subject to a fresh reasoned order after hearing. "Fails to tender" in section 269-UH referred to timely payment of the apparent consideration; the record showed payment, acceptance and a separable adjustment dispute.

Source: [Primary judgment: vesting, procedure and tender](#)

03 JUDICIAL DECISION

No serious illegality or infirmity justified interference with the fresh purchase order. Even assuming some deductions were impermissible, they did not invalidate vesting in the Central Government or establish the statutory failure that would abrogate the purchase.

Source: [Primary judgment: decision](#)

04 OUTCOME / IN WHOSE FAVOUR

The appeals and transferred cases were dismissed. No costs were ordered.

Source: [Primary judgment: operative order](#)

05 AKHB REVIEW POINT

AKHB analysis: in remanded or reopened statutory-purchase litigation, identify exactly what the earlier appellate order displaced. Do not infer de novo restoration, revesting or payment failure when the prior order did not direct it and the statutory consideration was accepted within time.

Source: [Primary judgment: review-point basis](#)

SOURCE & VERIFICATION

[Supreme Court Reports scan - public eSCR mirror](#)

Complete 15-page SCR report read in page-preserving text and every page image inspected through the final dismissal.

[Open cited source rendition](#)

Exact catalogue SHA-256 and 15-page count verified; the complete report was read and every source page image inspected.

STATUTORY SCOPE

Former Chapter XX-C was omitted with effect from 1 July 2002. The discussion of sections 269-UD to 269-UH is historical.

LATER TREATMENT

Source checked 2026-10-12. No comprehensive later-treatment or present-law clearance is represented. This note reports litigation under the omitted Chapter XX-C compulsory-purchase regime.

AI DISCLOSURE

This AKHB research note was prepared with AI assistance from the identified primary report and has not been represented as independently human-reviewed.

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General legal and tax research only; not legal or tax advice. Verify the complete judgment, governing statutory version and subsequent judicial treatment before reliance. The AKHB REVIEW POINT is editorial analysis, not the Court's holding, and no current-law clearance is claimed.