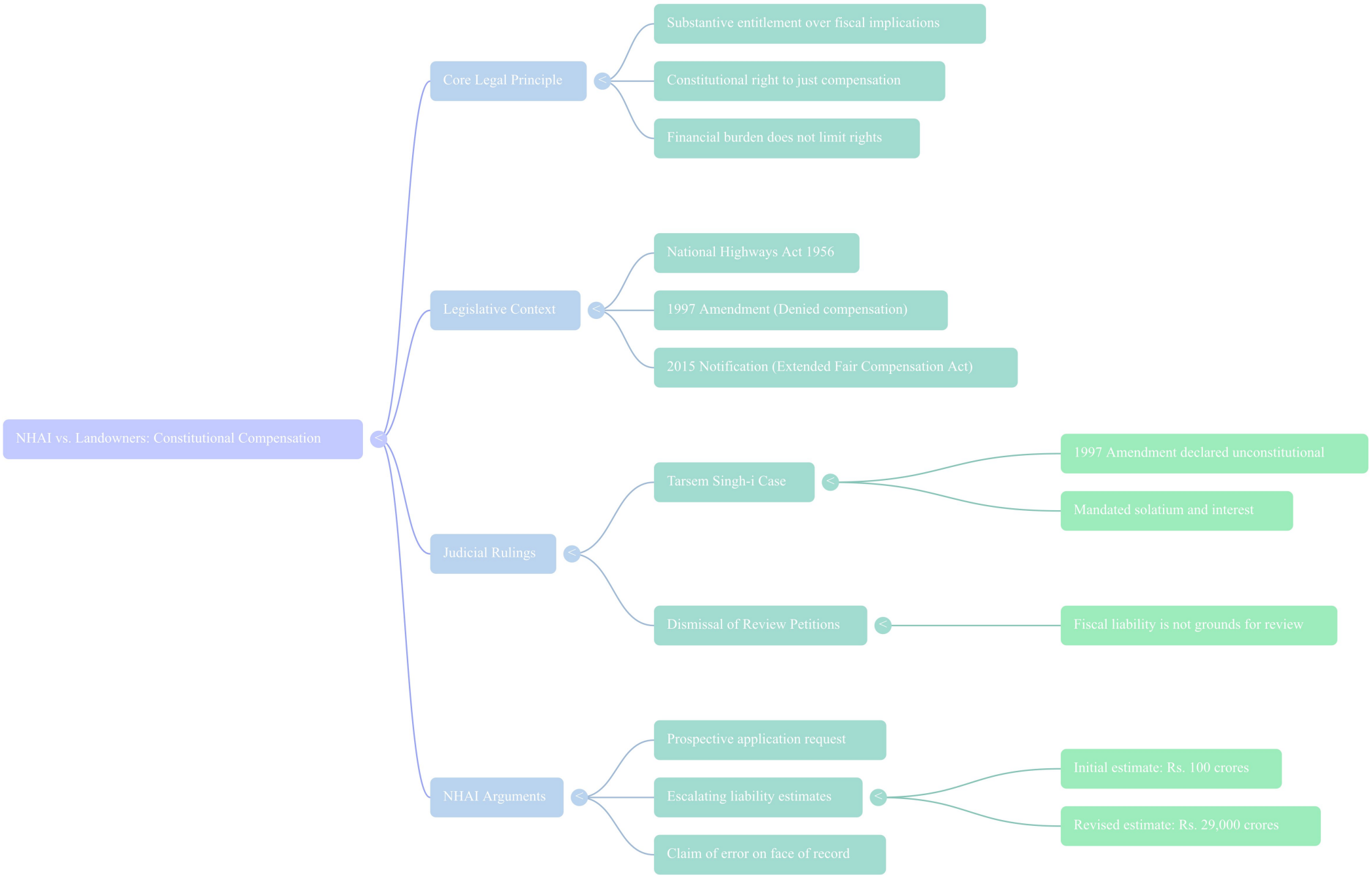
NHAI vs. Landowners: Constitutional Compensation
Core Legal Principle
Substantive entitlement over fiscal implications
Constitutional right to just compensation
Financial burden does not limit rights
Legislative Context
National Highways Act 1956
1997 Amendment (Denied compensation)
2015 Notification (Extended Fair Compensation Act)
Judicial Rulings
Tarsem Singh-i Case
1997 Amendment declared unconstitutional
Mandated solatium and interest
Dismissal of Review Petitions
Fiscal liability is not grounds for review
NHAI Arguments
Prospective application request
Escalating liability estimates
Initial estimate: Rs. 100 crores
Revised estimate: Rs. 29,000 crores
Claim of error on face of record