

the original encroachers or encroached pending writ petition/appeal in this Court, they are not entitled to the benefits given to the 10 encroachers. As regards those who are eligible according to the guidelines in the schemes and also fulfil the income criterion, it may be open to the Corporation to extend the same benefits in either of the three schemes, if they so desire. It is, however, made it clear that we are not giving any specific direction in this behalf lest it would amount to encouraging the people to abuse the judicial process to avail of such remedy by encroaching public property.

Accordingly, the appeal is allowed. The order of the High Court is modified as indicated above. The writ petitions stand disposed of accordingly. In the circumstances of the case, however, there will be no order as to costs.

.....Sd/-.....J.  
[ K. Ramaswamy ]

.....Sd/-.....J.  
[ G.B. Pattanaik ]

New Delhi,  
October 11, 1996.