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***IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ LA.APP. 740/2011

UNION OF INDIA

..... Appellant

Through: Mr. Yeeshu Jain, Advocate

versus

ISHWAR SINGH & ORS.

..... Respondents

Through: Ms. Suman Chaudhary,
Advocates for respondents
No.1, 2 & 4.

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% 11.10.2012

CM No.22468/2011 (u/O 41 R 3A r/w Sec. 151 CPC & u/S 5 of Limitation Act, 1963)

The delay is of 117 days' in filing the accompanying appeal.

Notice.

Ms. Suman Chaudhary, Advocates accepts notice of application on behalf of respondents No. 1 to 4 and states that the third respondent has recently expired. However, she does not oppose application for condoning delay although the delay is bureaucratic one.

Since the negligence disclosed is not gross one, therefore, this application is allowed and delay of 117 days' in filing the accompanying appeal is condoned.

Application is disposed of.

LA.APP No. 740/2011 & CM No.22467/2011

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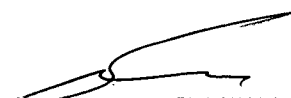
The only challenge to the impugned order of 2nd May, 2011 is

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on the ground that for the period intervening the acquisition Notification in question and fixation of minimum rate of agricultural lands in Delhi, which is of four months and twenty four days, escalation @12% per annum has been granted, whereas in Paragraph No.3 of the impugned order, it stands noted that there was no development between the year 1993, when the subject land was declared to be urbanized and the Notification in question.

It may be so but escalation @ 12% has been granted on account of future potentiality. No decision has been cited to show that appreciation @ 12% granted in the impugned order is on the higher side.

In view of aforesaid, finding no merit in this appeal, it is dismissed with no order as to costs. Application for stay is rendered infructuous and is disposed of as such.


(SUNIL GAUR)
JUDGE

OCTOBER 11, 2012

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