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

+ **LA.APP. 59/2013**

P.D. GOEL AND SONS Appellant
Through: **Mr. L.B. Rai, Advocate**

versus

UNION OF INDIA & ORS Respondents
Through: **Mr. Sanjay Kumar Pathak,**
Advocate for R-1.
Ms. Shobhana Takiar,
Advocate for R-2.

CORAM:
HON'BLE MS. JUSTICE REVA KHETRAPAL

ORDER (ORAL)

: REVA KHETRAPAL, J.

CM No.4473/2013

Exemption granted subject to all just exceptions.

Application stands disposed of.

CM No.4472/2013

1. By way of the present application, the Appellants seeks condonation of 730 days delay in re-filing the Appeal on the ground of illness of the counsel. The application is supported by the Affidavit of the counsel Shri L.B. Rai, Advocate.
2. For the reason stated in the application, the delay in re-filing the Appeal is condoned subject to the condition that the Appellant shall not be entitled to interest for the aforesaid

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period.

3. Application stands disposed of accordingly.

CM No.4471/2013

1. By way of the present application, the Appellant seeks condonation of delay in filing the Appeal. The Appellant has stated on Affidavit that he was unaware of his legal right to file an Appeal and on coming to know about his right to file Appeal from other villagers, he immediately filed the same.
2. For the reason stated in the application, the delay in filing the Appeal is condoned subject to the condition that the Appellant shall not be entitled to interest for the aforesaid period.
3. Application stands disposed of accordingly.

LA.APP. 59/2013

1. The learned counsel for the Appellant states, and it is not disputed by the Respondents, that the present case is covered by the judgment of this Court rendered in '*Jamna Vs. Union of India and Ors*' in LPA No.784/2005 rendered on 8th July, 2011 and that compensation in this Appeal can reasonably be assessed in terms of the said judgment.
2. The notification under Section 4 of the Land Acquisition Act in the present case is dated 25th February, 1997 pertaining to Village Mundka, Delhi which has already been dealt with by this Court in *Jamna's case (Supra)*. The relevant portion of the judgment in *Jamna's case* is reproduced herein:-

“33. Accordingly, the appeals filed by the Union of India require to be dismissed and I

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hereby dismiss the same. The appeals filed by the land owners and the cross-objections filed by the land owners stands decreed as under:-

- i) For the land falling in Category A land in Village Mundka the fair market value is fixed at is ₹ 2,49,408.75 per bigha i.e. ₹ 11,97,162/- per acre and for Category B lands, the fair market value is fixed at ₹ 2,01,117/- per bigha i.e. ₹ 9,65,361.60 per acre, as on 25.02.1997.
- ii)
- iii)
- iv) ”

3. In view of the aforesaid the appeal is allowed in terms of the judgment of this Court in the case of *Jamna (Supra)*.

4. LA.APP. 59/2013 stands disposed of in the above terms.


REVA KHETRAPAL
(JUDGE)

March 15, 2013
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