

**Court No. - 44**

**Case :-** MATTERS UNDER ARTICLE 227 No. - 3484 of 2020

**Petitioner :-** Meerut Development Authority

**Respondent :-** Jawahar Lal (Deceased) And 8 Others

**Counsel for Petitioner :-** Bhupeshwar Dayal

**Counsel for Respondent :-** C.S.C.,Rahul Kumar Tyagi

**Hon'ble Ashutosh Srivastava,J.**

The present petition, under Article 227 of the Constitution of India, has been filed for setting aside the order dated 12.03.2020 passed by Additional District and Session Judge, Special Judge POCSO, Court No. 1, Meerut in Execution Case No. 247 of 2006, arising out of Land Acquisition Reference No. 320/1992 (Jawahar vs. State and others). By the said order the court below has rejected the Paper No. 87-Ga filed by the Development Authority JD No. 3 to the effect that no interest has been awarded by the reference court on solatium and as such the same is not payable. The Application has been rejected on the ground that the interest on solatium amount is payable, the Executing Court was directed for proceeding further to recover the amount of interest on solatium.

This Court vide order dated 15.12.2020 had stayed the effect and operation of the order dated 12.03.2020. On 23.11.2023, learned counsel for the respondents submitted that subsequent to filing of the petition the Decree passed in the Land Acquisition Reference in question was amended vide order dated 06.01.2006 and interest on Solatium has been added and on the joint request of the parties the case was directed to be listed today, by which date the certified copy of the amended decree was directed to be produced for perusal of the Court.

Today, the certified copy of the amended decree passed in Land Acquisition Reference No. 320 of 1992 has been produced, which is taken on record. The amended decree reflects that 30% solatium has been ordered to be paid to the claimant/ respondents.

Since the decree itself has been amended this Court is of the opinion that challenge to the order dated 12.03.2020, rejecting the paper No. 87-Ga, does not survive.

In the aforesaid circumstances, the parties are in agreement that the petition has been rendered infructuous.

In view of the statement made by the parties, petition is ***dismissed as infructuous.***

**Order Date :-** 4.12.2023

Deepak/