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

+ LA.APP. 178/2014

SHRI RAM KUMAR Appellant

Through: Mr.I.S. Dahiya, Adv.

versus

UNION OF INDIA & ORS Respondents

Through: Mr. Sanjay Kumar Pathak, Mr. Sunil
Kumar Jha & Mr. Kushal Raj Tater,
Advs.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **18.05.2016**

The appeal was admitted for hearing on 05.02.2016.

It is directed against the judgment dated 12.10.2009 passed by the ADJ, Dwarka, New Delhi in LAC No.128/09/05 (Ram Kumar vs. Union of India and Anr.) pertaining to Award No.28/2002-03 whereby the land owners have been allowed compensation @15 lakh per acre for Block A land falling in and Rs.13,36,000/- per acre for land in Block B. The Trial Court has also awarded additional amount under Section 23 (1A) of the Land Acquisition Act @12% p.a. on the market value from the date of the notification under Section 4 of the Land Acquisition Act till the date of award or dispossession whichever is earlier, solatium amount under Section 23(2) @ 30% at the enhanced amount of compensation; interest under Section 28 of the Land Acquisition Act @9% p.a. from the first year from

the date of dispossession and @15% p.a. on the difference between the enhanced compensation awarded by the court and the compensation awarded by the Land Acquisition Collector for subsequent period till its payment along with interest on solatium and an additional amount as per the directions of the Supreme Court in case of ***Sunder vs. Union of India 93 DLT 2001 (SC) 569***. It is further submitted that the lands of the appellant falling in Village Bijwasan was acquired along with lands of other villages for the purposes of planned development of Dwarka, Phase-2.

The aforesaid appeal is covered by the judgment of Supreme Court of India in ***Impulse India Pvt. Ltd. Vs. Union of India and Another*** in Civil Appeal No.2091/2014 arising out of SLP (C) 18883/2012 which relates to the same acquisition proceedings for the development of Dwarka and pertain to lands falling under Villages Bijwasan, Bharthall, Pochanpur and Dhul Saras.

In the aforesaid judgment in ***Impulse India Pvt. Ltd. Vs. Union of India and Another***, (supra) the Supreme Court has enhanced the compensation awarded to the land owners for lands falling in Block A to Rs.21 lakh per acre and for Block B to the tune of Rs.19 lakh per acre. The aforesaid enhancement and compensation has been declared to be common for all the lands falling in the aforesaid four villages namely Bijwasan, where the land of the appellant is situated and villages Bharthall, Pochanpur and Dhul Saras.

The aforesaid fact has not been disputed by Mr. S.K. Pathak, learned advocate for Union of India.

Accordingly, the present appeal is allowed in terms of the judgment of the Supreme Court in *Impulse India Pvt. Ltd. (supra)*. No order as to costs.

It is however made clear that the appellant shall not be entitled to the interest for the period of delay in approaching the court in filing the appeal.

ASHUTOSH KUMAR, J

MAY 18, 2016

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