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

+ LA.APP. 155/2013

UNION OF INDIA

..... Appellant

Through: Mr. Siddharth Panda, Advocate

versus

BALJEET & ORS

..... Respondent

Through: Ms. Smita Mann, Advocate
Ms. Sakshi Vaid and Mr. Kunal
Sharma for DDA

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

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08.01.2016

C.M. Nos.22305/2015 & 22304/2015

These applications have been filed by the respondent to seek condonation of delay in filing the cross objections and to seek condonation of delay in refiling the cross objections.

Learned counsel for the respondent/objector submits that, in fact, there is no delay in filing the cross objections and the applications have been moved by way of abundant caution. It is pointed out that the respondent did not receive any notice of admission of the appeal.

This submission of the applicant appears to be well founded. This Court had issued notice to the respondents in C.M. No.13469/2013 and 13471/2013 which were applications filed by the appellant to seek condonation of delay in filing and re-filing of the appeal. Notice on these

applications was indeed served on the respondents. However, the respondents did not appear when these applications were taken up for consideration by the court on 15.01.2014, when both these applications were allowed. On the same day, the court admitted the appeal. However, no notice of admission of the appeal was directed to be issued to the respondents. Thus, there is no delay in filing of the cross objections and accordingly C.M. No.22305/2015 stands allowed.

So far as C.M. No.22304/2015 is concerned, the same is in relation to condonation of delay in refiling the cross objections. For the reasons stated in the application, the same is allowed.

It is also noticed that the cross objections and the appeal are covered by the judgment of the Supreme Court in C.A. No.10982-11033/2014, titled ***Charan Singh v. Union of India & Anr.***. Consequently, the applications are allowed.

LA.APP. 155/2013 & C.M. No.22302/2015 (cross objections)

Issue notice. Counsel for the appellant accepts notice in the cross objections preferred by the respondent. I have heard learned counsels for the parties in the appeal and the cross objections. It is not in dispute that the present appeal is covered by the judgment of the Supreme Court in C.A. No.10982-11033/2014, titled ***Charan Singh v. Union of India & Anr.*** The acquisition pertains to the land acquired in village Bamnoli vide notification issued under section 4 of the Land Acquisition Act on 04.11.2004. Consequently, the present appeal and the cross objections are allowed in terms of the aforesaid judgment of the Supreme Court in C.A. No.10982-11033/2014, titled ***Charan Singh v. Union of India & Anr.***

The respondent/objector shall be entitled to compensation as fixed by the Supreme Court in the said decision along with all other statutory benefits and interest.

VIPIN SANGHI, J

JANUARY 08, 2016

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