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

+ LA.APP. 427/2015

SHYAMBIR & ORS Appellants

Through: Mr. B.D. Sharma, Adv.

versus

UNION OF INDIA & ANR Respondents

Through: Mr. Yeeshu Jain & Ms. Jyoti Tyagi,
Advs. for R-1

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **19.01.2016**

CM No.25070/2015 & CM No.25072/2015

By these applications, the applicant seeks condonation of 1064 days delay in filing and 18 days delay in re-filing the accompanying appeal under Section 54 of the Land Acquisition Act.

Learned counsel appearing for respondent No.1 sought time to reply to the applications.

This Court is of the opinion that no reply in the aforesaid case is necessary. The Hon'ble Supreme Court of India has already enhanced the compensation in respect of the same acquisition proceedings in Civil Appeal Nos. 10982-11033/2014 titled ***Charan Singh & Others vs. Union of India & Another*** decided on 11.12.2014.

The courts have been liberal in condoning the delay in filing the appeals under the Land Acquisition Act as there is a compulsory acquisition

of the land whereas the appellants are, more often than not, agriculturists coming from rural background.

The Apex Court has condoned large delays but for equitable grounds, though, has denied interest to the claimants for the period of delay.

Keeping in view the aforesaid factual position as well as taking into account the ground shown in the applications for condonation of delay, the applications are allowed and the delay in filing and re-filing the appeal is condoned with the condition that the appellant shall not be entitled to the interest for the period of delay.

The applications stand disposed of.

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Since the present appeal is covered by the decision of the Hon'ble Supreme Court of India in Charan Singh (supra), the present appeal is disposed of in terms of the said decision. The appellant shall, however, not be entitled to the interest for the period of delay.

The appeal stands disposed of.

ASHUTOSH KUMAR, J

JANUARY 19, 2016

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