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

+ CM(M) 571/2016 and CM No. 21939/2016

SURESH KUMAR & ANR Petitioner
Through Mr.Abhimanyu K. Singla, Advocate.

versus

RAJIV BHAYANA & ORS Respondents
Through Mr.S.K. Rout, Advocate for R-1.
Mr. Sanjay Kumar Pathak, Mr. Sunil Kumar Jha
and Mr.Kushal Raj Tater, Advocates for R-2/IOI

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
15.02.2017

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1. By the present petition filed under Article 227 of the Constitution of India, the petitioners seek to impugn the order dated 14.03.2015 whereby the concerned court dismissed the application filed by the petitioners under Order 1 Rule 1A(3) CPC for producing certified copies of the revenue record and sale deed.
2. The land in question was acquired in 2008-09 and an award was passed. A dispute has been raised by respondent No. 1 against the petitioners and respondent No.3 as to who are the recorded owners in respect of the land in question. Hence, the LAC referred the said dispute under Sections 30-31 of the Land Acquisition Act to the LAC Court for adjudication of the entitlement and apportionment of the compensation.
3. Respondent No. 1 has already led his evidence. It is upon tendering of

their evidence that the petitioners filed the present application whereby they seek to place on record certified copies of the revenue record and sale deed in favour of the predecessor of the petitioners. The trial court however dismissed the application stating that the petitioners have not been diligent in filing these documents.

4. I have heard the learned counsel for the parties.

5. The only ground on which the application has been dismissed is on the ground of delay.

6. In view of the above, in the interest of justice as the said documents would be necessary for the purpose of adjudication of the dispute between the parties, I set aside the said impugned order and allow the application of the petitioners subject to payment of costs of Rs.10,000/-.

7. In view of the above, the present petition is disposed of. All pending applications also stand disposed of.

JAYANT NATH, J

FEBRUARY 15, 2017
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