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

+ **W.P.(C) 8404/2015**

JAGDISH SINGH & ORS

..... Petitioners

Through : Mr.S.B.S.Vashishtha, Adv.

versus

GOVT. OF NCT OF DELHI

..... Respondent

Through : Mr.Yeeshu Jain, St.Counsel with
Ms.Jyoti Tyagi, Adv. for LAC/L&B

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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18.04.2017

The petitioner's claim is that interest under Section 34 of the Land Acquisition Act has not been calculated and paid/deposited from the date of dispossession i.e. 23rd November, 2005 till the date of determination under the award, i.e. 10th March, 2013. The respondent's contention is that there was a dispute as to the amount to postpone the determination itself. This Court is of the opinion that the stand of the LAC is officially unsupportable in law. A land owner is ordinarily entitle to interest from the date he or she is dispossessed.

The interest clock stops ticking only when the entire compensation together with accrued interest is deposited.

In the present case clearly the period between the date of dispossession and the date of the award, is prima facie eligible for reckoning towards payment of interest under the Act. The LAC is directed to examine and pass appropriate orders in accordance with law within 8 weeks from today giving suitable advance opportunity to the petitioner in that regard. In the event of non-compliance with this order it is open to the petitioner to move this Court for revival of these proceedings.

The writ petition is disposed of in above terms.

S. RAVINDRA BHAT, J

YOGESH KHANNA, J

APRIL 18, 2017
VLD