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

+ CM(M) 1081/2017

MAHENDRA KUMAR

..... Petitioner

Through: Mr. N.S. Vasisht, Mr. Vishal Singh
and Ms. Jyoti Kataria Bajaj, Advs.

Versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Yeeshu Jain, Adv. for R-1/UOI.
Ms. Sarita Panda and Ms. Mrinaline
Sen Gupta, Advs. for DDA.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **25.09.2017**

CM No.35382/2017 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

CM(M) 1081/2017 & CM No.35381/2017 (for stay)

3. This petition under Article 227 of the Constitution of India impugns the order (dated 26th July, 2017 in Ex. Case No.9880/2016 of the Court of Additional District Judge (ADJ)-1 (South-East), Saket Courts, New Delhi) and seeks a direction to the respondents No.1&2 Land Acquisition Collector, Mehrauli-Badarpur Road, Saket, New Delhi and Delhi Development Authority to make payment of the admitted decretal land acquisition award amount to the petitioner and respondents No.3 to 6.
4. The counsels for the respondents No.1 & 2 appear on advance notice.

5. The learned ADJ, vide the impugned order, on receipt of report of the *Nazir* and after giving opportunity to the party to inspect and take steps, if any, has posted the matter for further proceedings on 11th October, 2017.
6. The counsel for the petitioner states that the amount due is admitted, but still payment is not made. It is stated that the money is still not deposited with the Court till date.
7. If that is so, it is open to the petitioner to seek execution by attachment and sale of the properties of the respondents No.1&2.
8. The counsel for the petitioner expresses urgency.
9. It will be open to the petitioner to make such request before the Executing Court and I am confident that the Executing Court will respond appropriately.

With the aforesaid, the petition is disposed of.

No costs.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 25, 2017

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