

\$~6

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LA.APP. 47/2016 & CM No.7457/2016 (for condonation of delay of
2256 days in filing the appeal)
KULDEEP SINGH (SINCE DECEASED) THR HIS LR.... Appellant
Through: Mr. S.K. Solanki, Adv.
Versus
UNION OF INDIA & ANR Respondents
Through: Mr. Yeeshu Jain & Ms. Jyoti Tyagi,
Advs. for R-1.
Ms. Mrinalini Sen Gupta & Ms.
Niharika Jauhari, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

%

13.09.2018

1. This appeal under Section 54 of the Land Acquisition Act, 1894 impugns the judgment and decree in a Reference under Section 18 of the Act and seeks further enhancement in compensation.
2. The counsel for the appellant as well as the counsel for the respondent no.1 Union of India (UOI) state that compensation with respect to other land acquired vide the same notification and award has been determined by the Supreme Court vide judgment dated 13th February, 2014 in Civil Appeal No.2091/2014 titled *Impulse India Pvt. Ltd. Vs. Union of India* but this appeal has been preferred with an application for condonation of delay of 2256 days in filing thereof.
3. In the spirit of principle of parity enshrined in Section 28A of the Act, it is deemed appropriate to condone the delay aforesaid subject to the appellant paying costs and subject to the appellant being not entitled to interest on enhancement for the period of delay. It is ordered accordingly.

4. CM No.7457/2016 is disposed of.
5. The appeal is allowed in terms of *Impulse India Pvt. Ltd.* supra and the compensation for the acquired land of the appellant is enhanced as enhanced by the Supreme Court in *Impulse India Pvt. Ltd.* supra. However, the appellant shall not be entitled to interest on enhancement for the period of delay of 2256 days.

No costs.

Decree sheet be prepared subject to the appellant paying costs of Rs.30,000/- to the counsel for respondent no.1 UOI within four weeks hereof.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 13, 2018

‘gsr’..