

\$~49 to 51

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LA.APP. 212/2013
UNION OF INDIA Appellant
Through: Mr. Yeeshu Jain & Ms. Jyoti Tyagi,
Adv.

Versus

JAI BHAGWAN & ANR Respondents
Through: Ms. Kanika Goel, Adv. for R-1.
AND

LA.APP. 248/2013
SARASWATI DEVI (DECEASED) THR
HER LEGAL HEIR Appellant
Through: Mr. I.S. Dahiya, Adv.
Versus

UNION OF INDIA & ANR Respondents
Through: Mr. Yeeshu Jain & Ms. Jyoti Tyagi,
Adv. for UOI.
AND

LA.APP. 249/2013
S K GUPTA Appellant
Through: Mr. I.S. Dahiya, Adv.
Versus

UNION OF INDIA & ANR Respondents
Through: Mr. Yeeshu Jain & Ms. Jyoti Tyagi,
Adv. for UOI.

CORAM:
HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **05.09.2018**

1. These appeals under Section 54 of the Land Acquisition Act, 1894 impugn the same judgment in a Reference under Section 18 of the Act.
2. The appeals were admitted for hearing and ordered to be listed in the category of "Regulars".

3. The counsel for the appellant Union of India (UOI) on request of this Court to furnish particulars of 'covered' matters pending consideration, furnished the particulars and the Registry was directed to list the said matters in the cause list in the category of 'After Notice Miscellaneous Matters'. The Court Master was also directed to telephonically inform the Advocates for the private parties of the matters so ordered to be listed.
4. The appeals are listed today in terms of above.
5. The counsel for the private parties / land owners appears.
6. The counsel for UOI has been heard separately in each of the appeals but for the sake of convenience, this common order is being passed.
7. The counsel for UOI states that these matters pertain to land acquired in village Shahbad Daulatpur compensation with respect to which was determined vide Award No.29/2002-2003. It is further stated that the compensation with respect to other land acquired vide the same notification and award has been determined by this Court in ***Hem Chander Malik Vs. Union of India*** 2011 SCC OnLine Del 4111 and SLP(C) No.26985/2012 titled ***Hem Chander Malik Vs. Union of India*** preferred thereagainst was dismissed by the Supreme Court on 30th October, 2015. He thus states that the compensation with respect to the land subject matter of these appeals has to be determined in accordance with the dicta of this Court in ***Hem Chander Malik*** supra. It is further informed that this Court in ***Hem Chander Malik*** affirmed the compensation awarded by the Reference Court.

8. The counsel for the appellants in LA.APP. Nos.248/2013 and 249/2013 though states that he has no personal knowledge of disposal of the SLP but has no reason to disbelieve the counsel for the appellant / respondent no.1 UOI. He also clarifies that in the impugned judgments compensation has been awarded in terms of ***Hem Chander Malik*** supra of this Court.

9. Resultantly, the appeals of UOI as well as of the land owners are dismissed.

No costs.

Decree sheets be drawn up.

Trial court record, if requisitioned, be returned.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 05, 2018

‘gsr’..