

\$~11

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

+ LA.APP. 165/2016 & CM No. 22614/2016 (condonation of delay of 1947 days in filing)

LAKHI RAM (DECEASED) THR LRS Appellants
Through: Ms. Smita Maan, Adv.

versus

UNION OF INDIA & ANR Respondents
Through: Mr. Sanjay Kumar Pathak,
Ms. K. Kaomudi Kiran Pathak, Mr. Sunil Kumar
Jha, Mr. Kushal Raj Tater, Adv. for R-1/UOI.
Mr. Kunal Sharma, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **17.08.2018**

1. This appeal under Section 54 of Land Acquisition Act, 1894 impugns the judgment dated 29th October, 2010 in LAC No. 247/2009 of the Court of Additional District Judge, West on a reference under Section 18 of the Act.
2. This appeal was entertained and notice thereof issued on the contention of the counsel for the appellant that the case of the appellant is covered by the judgment dated 11th December, 2014 of the Supreme Court in Civil Appeal Nos. 10982-11033/2014 titled *Charan Singh Vs. Union of India & Anr.*
3. The appeal is accompanied with an application for condonation of delay of 1947 days in filing thereof.

4. The counsels state that in other appeals with respect to land acquired vide the same Notification and Award, the compensation has been ordered to be enhanced to Rs.25,00,000/- per acre in respect of Block A land and to Rs. 22,00,000/- per acre with respect to Block B land. The counsels further state that there is no dispute in this appeal as to the Block in which the land of the appellants is situated.
5. Following the spirit of principle of parity, it is deemed appropriate to condone the delay in preferring the appeal, subject to the appellant paying costs of Rs.25,000/- to the counsel for the respondent No.1 and further subject to the condition that the appellant will not be entitled to interest on the enhancement for the period of delay.
6. CM No. 22614/2016 is disposed of.
7. The appeal is allowed. The compensation awarded by the Reference Court is enhanced in terms of the judgment aforesaid of the Supreme Court, save that the appellant will not be entitled to interest on the said enhancement for the period of delay.
8. The appeal is disposed of.
9. Decree sheet be prepared subject to payment of costs within three weeks.

RAJIV SAHAI ENDLAW, J

AUGUST 17, 2018
SR..