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

+ LA.APP. 156/2017

SAMAY RAM (DECEASED) THR LRS Appellants

Through: Mr.L.B. Rai, Mr.Mohit Kumar
Sharma, Advocates

versus

UNION OF INDIA & ANR Respondents

Through: Ms.Jyoti Tyagi, Advocate for
Mr.Yeeshu Jain, CGSC for R1/UOI
Mr.Kunal Sharma, Adv. for R2/DDA

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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27.07.2018

CMs No.19779/2017 (for condonation of delay of 2595 days in filing the appeal) 19781/2017 (for condonation of delay of 197 days in filing CM No. 19780/2017), 19780/2017 (u/O 22 R-3 CPC for substitution of LR of Appellant No.2)

1. The counsel for the respondent No.1 Union of India (UOI) has contended that there is no sufficient reason or explanation of long delay of 2595 days in preferring this appeal and for condonation of delay of 197 days in applying for substitution of legal representatives of appellant Jai Bhagwan.
2. On enquiry, it is informed that appeals with respect to other land subject matter of same award have been admitted and are pending for consideration.

3. In this view of the matter, subject to the appellant paying costs of Rs.25,000/- to counsel for respondent No.1 UOI, the delays in filing and re-filing the appeal and in applying for substitution are condoned and the LRs of the appellant No.2 Jai Bhagwan permitted to be substituted in his place.

4. CMs No.19779/2017, 19780/2017 and 19781/2017 are disposed of.

LA.APP.156/2017

5. Admit.

6. List in the category of 'Regulars' along with LA.APP. No.252/2013 titled Hardwari Lal vs. Union of India.

7. The counsel for the appellant at this stage states that LA.APP. No.784/2005 titled Jamna vs. Union of India and a large number of other appeals seeking enhancement of compensation with respect to other land subject matter of same notification and award have been decided on 8th July, 2011 and has drawn attention to Pg.47 of the paper book, being a copy of the said judgment.

8. A perusal of the said judgment shows enhancement to have been with respect to different categories of land.

9. The counsel for the appellant states that there is no challenge to the categorization of land in the present appeal.

10. The counsel for the respondent No.1 / LAC and the counsel for the respondent No.2 / DDA confirm.

11. This appeal is accordingly decided in terms of the judgment aforesaid, granting to the appellants the enhancement in compensation as ordered in the said judgment.

12. Decree sheet be prepared subject to payment of costs within three weeks.

13. All the counsels present in the Court are requested to submit the list of the covered matters pending in the category of 'Regulars' so that such matters can be taken up expeditiously.

14. Ms. Jyoti Tyagi Advocate for UOI has also graciously agreed to visit the Registry of this Court on Saturdays for the purposes of finding out the covered matters. The Registry is directed to give access to Ms. Jyoti Tyagi Advocate to all the files pending in the category of 'Regulars' so that the covered matters can be detected.

RAJIV SAHAI ENDLAW, J

JULY 27, 2018

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