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

+ LA.APP. 327/2016 & CM No.44277/2016 (for condonation of 3251 days delay in filing the appeal)

KHAZAN SINGH Appellant
Through: Mr. I.S. Dahiya, Adv.

Versus

UNION OF INDIA & ANR Respondents
Through: Mr. Yeeshu Jain and Ms. Jyoti Tyagi,
Adv. for R-1/UOI.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **31.08.2018**

1. This appeal under Section 54 of the Land Acquisition Act, 1894 impugns the judgment and decree dated 6th September, 2007 in LAC No.76/2007 of the Court of Additional District Judge, Tis Hazari Courts, Delhi in a reference under Section 18 of the Act.
2. The appeal is accompanied with an application for condonation of delay of 3251 days in filing thereof.
3. The appeal was entertained and notice thereof ordered to be issued.
4. The counsel for the respondent Union of India states that compensation with respect to other land acquired vide the same Notification and Award has been enhanced by this Court vide judgment dated 23rd August, 2011 in LA.APP. No.266/2008 titled ***Jai Singh Vs. Union of India and Anr.*** and other connected appeals; however, the appellant is a fence-

sitter and has preferred this appeal after five years of pronouncement of judgment in **Jai Singh** supra and ought not to have the benefit of enhancement.

4. The counsel for the appellant confirms that the matter is covered as aforesaid.

5. In the spirit of the principle of parity, it is deemed appropriate to condone the delay in preferring this appeal, subject to the appellant paying costs of Rs.30,000/- to the counsel for the respondent UOI and further subject to the appellant being not entitled to interest for the period of delay.

6. It is ordered accordingly.

7. CM No.44277/2016 is disposed of.

8. The appeal is allowed, enhancing the compensation in terms of the judgment in **Jai Singh** supra.

9. The appellant shall however not be entitled to interest for the period of delay.

10. Decree sheet be drawn up subject to the costs aforesaid being paid within three weeks.

AUGUST 31, 2018

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RAJIV SAHAI ENDLAW, J.