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

+ LA.APP. 78/2016 & CMs No.12834/2016 & 12835/2016 (both for condonation of delay of 2711 days in filing and 181 days delay in re-filing the appeal respectively)

RAGHUBIR SINGH (DECEASED) THROUGH LR Appellant
Through: Mr. S.S. Gulia, 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

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09.08.2018

1. The counsel for the parties state that this appeal under Section 54 of the Land Acquisition Act, 1894 against the judgment and decree [dated 1st December, 2007 in LAC No.349/2005 (Old No.181/2000) of the Court of Additional District Judge, Delhi] on a Reference under Section 18 of the Act is accompanied with applications for condonation of 2711 days delay in filing thereof and 181 days delay in re-filing thereof. It is further stated that the land subject matter of this appeal is situated in Village Kakrola and this Court vide judgment dated 23rd October, 2008 in LA.APP. No.673/2008 titled *Ved Prakash & Others Vs. Union of India & Another* has determined the compensation with respect to other land acquired vide the same Notification and award at Rs.1,20,500/- per bigha.

2. The counsels state that subject to the applications for delay, this appeal can also be disposed of in terms thereof.
3. Subject to the appellant paying costs of Rs.10,000/- to the counsel for the respondent No.1, within four weeks of today and further subject to the appellant being not entitled to interest on the enhancement for the period of delay, the delay in filing and re-filing the appeal is condoned.
4. CMs No.12834/2016 & 12835/2016 are disposed of.
5. In the spirit of parity, the appeal is allowed and the compensation awarded to the appellant is enhanced in terms of ***Ved Prakash*** supra, save that the appellant shall not be entitled to the interest for the delay period.
6. Decree sheet be drawn up, subject to the appellant paying costs, as aforesaid.

RAJIV SAHAI ENDLAW, J.

AUGUST 09, 2018

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