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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
LA.APP. 289/2017 & CM No.31855/2017 (for condonation of 4694
days delay in filing the appeal)
RATTAN LAL (DECEASED) THROUGH LRS Appellant
Through: Mr. B.D. Sharma, Adv.

Versus

UNION OF INDIA & ANR Respondents
Through: Mr. Yeeshu Jain and Ms. Jyoti Tyagi,
Adv. for R-1/UOI.
Mr. Sunil Fernandes, Ms. Anju
Thomas and Mr. Arnav Vidyarthi,
Adv. for R-2.

AND

LA.APP. 290/2017 & CM No.31857/2017 (for condonation of delay
of 5260 days in filing the appeal)
RATTAN LAL (DECEASED) THROUGH LRS Appellant
Through: Mr. B.D. Sharma, Adv.

Versus

UNION OF INDIA & ORS Respondents
Through: Mr. Yeeshu Jain and Ms. Jyoti Tyagi,
Adv. for R-1/UOI.
Mr. Sunil Fernandes, Ms. Anju
Thomas and Mr. Arnav Vidyarthi,
Adv. for R-2.

AND

+ LA.APP. 291/2017 & CM No.31859/2017 (for condonation of 4494
days delay in filing the appeal)
CHANDER Appellant
Through: Mr. B.D. Sharma, Adv.

Versus

UNION OF INDIA & ORS Respondents
Through: Mr. Yeeshu Jain and Ms. Jyoti Tyagi,
Adv. for R-1/UOI.
Mr. Sunil Fernandes, Ms. Anju
Thomas and Mr. Arnav Vidyarthi,
Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

27.09.2018

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1. These appeals, all under Section 54 of the Land Acquisition Act, 1894, impugn (i) judgment and decree dated 18th October, 2004 in LAC No.632/1993; (ii) judgment and decree dated 15th January, 2003 in LAC No.991/1993; and, (iii) judgment and decree dated 9th May, 2005 in LAC No.1439/1993 respectively, all of the Court of Additional District Judge, Delhi, on a Reference under Section 18 of the Act.
2. The appeals are accompanied with applications for condonation of delays of 4694 days, 5260 days and 4494 days respectively in filing thereof.
3. The counsel for the respondent No.1 Union of India (UOI) and the counsel for the respondent No.2 Delhi Vidyut Board (Now BSES Yamuna Power Ltd.(BYPL)) state that this Court, vide judgment dated 22nd July, 2016 in RFA No.715/2003 titled *Balwant Singh Vs. Union of India*, has further enhanced the compensation with respect to the other land in the same village acquired vide the same Notification and award.
4. Applying the principle of parity as enshrined in Section 28A of the Act, it is deemed appropriate to condone the delay in filing the appeal, subject to the appellant/s in each of LA.APP. Nos.289/2017 & 290/2017 paying costs of Rs.35,000/- to the counsel for the respondent No.1 UOI and the appellant in LA.APP. No.291/2017 paying costs of Rs.35,000/- to the counsel for the respondent No.2 BYPL and further subject to the appellant/s in each of the appeals being not entitled to interest on the enhancement for the period of delay in filing the appeals.

6. CM No.31855/2017 in LA.APP. No.289/2017, CM No.31857/2017 in LA.APP. No.290/2017 & CM No.31859/2017 in LA.APP. No.291/2017 for condonation of delay are allowed on the aforesaid terms and disposed of.

7. Resultantly, the appeals are allowed in terms of ***Balwant Singh*** supra, entitling the appellant/s to enhancement of compensation as ordered in ***Balwant Singh*** supra. However, the appellant/s shall not be entitled to interest on enhancement for the period of delay in filing the respective appeals.

8. Subject to the appellant/s in LA.APP. Nos.289/2017 & 290/2017 paying costs of Rs.35,000/- to the counsel for the respondent No.1 UOI and the appellant in LA.APP. No.291/2017 paying costs of Rs.35,000/- to the counsel for the respondent No.2 BYPL within four weeks of today decree sheets be drawn up.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 27, 2018

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