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

+ LA.APP. 288/2017 & CM No.31854/2017 (for condonation of delay of 4130 days in filing the appeal)

BHOOP SINGH (DECEASED) THROUGH LRS Appellant
Through: Mr. B.D. Sharma, Adv.

Versus

UNION OF INDIA & ANR Respondents
Through: Mr. Yeeshu Jain and Ms. Jyoti Tyagi,
Advs. for R-1/UOI.
Ms. Sharika Singh, Adv. for Mr.
Kunal Sharma, Adv. for R-2/DDA.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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27.09.2018

1. This appeal under Section 54 of the Land Acquisition Act, 1894 impugns the judgment and decree [dated 27th January, 2007 in LAC No.422/2005 (New) [22/1999 (Old)] of the Court of Additional District Judge, Delhi] on a Reference under Section 18 of the Act.

2. The appeal is accompanied with an application for condonation of delay of 4130 days in filing thereof.

3. Notice of the appeal and the application was ordered to be issued.

4. The counsel for the respondent No.1 fairly states that the land subject matter of this appeal is situated in Village Kakrola and this Court in 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.

5. 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 paying costs of Rs.15,000/- to the counsel for the respondent No.1 and subject to the appellant being not entitled to interest on the enhancement for the period of delay.

6. CM No.31854/2017 for condonation of delay is allowed on aforesaid terms and disposed of.

7. Resultantly, the appeal is allowed and the compensation is enhanced in terms of *Ved Prakash* supra. However, the appellant shall not be entitled to interest on enhancement for the period of delay.

8. Decree sheet be drawn up, subject to the appellant paying costs of Rs.15,000/- to the counsel for the respondent No.1 within four weeks hereof.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 27, 2018

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