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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LA.APP. 449/2015 & CM No.27419/2015 (for condonation of 729 days delay in filing the appeal).

HARI SINGH (DEC) THR LRS & ORS Appellant

Through: Ms. Smita Maan, Mr. Paritosh Tomar
and Mr. Sumit Singh, Adv.

versus

UNION OF INDIA & ANR Respondents

Through: Mr. Yeeshu Jain, Adv. for R-1.
Mr. Rupal Luthra, Adv. for DDA.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **07.08.2018**

1. This appeal under Section 54 of the Land Acquisition Act, 1894 against the judgment dated 16th August, 2010 in LAC No. 13/2010 and other connected reference under Section 18 of the Act, of the Court of Additional District Judge, South West, has been preferred with application for condonation of delay of 729 days in filing thereof.

2. The counsel for the respondent no.1 fairly states that compensation for other lands acquired vide the same notification and Award, on Special Leave Petition filed by others to the Supreme Court against the judgment of dismissal of appeals filed by others to this Court, has been enhanced by the Supreme Court vide judgment dated 11th December, 2014 in Civil Appeal No.10982-11033/2014.

3. It is stated that while the Reference Court enhanced the compensation to Rs.17,45,000/- per acre with respect to Block A land and reduced the compensation to Rs.17,13,000/- per acre with respect to Block B land, the Supreme Court has enhanced the compensation to Rs.25,00,000/- per acre in

respect of Block A land and to Rs.22,00,000/- per acre with respect to Block B land.

4. The counsel for the respondent no.1 also states that the appellant has filed this appeal only after the judgment aforesaid of the Supreme Court and the application for condonation of delay does not disclose any satisfactory reason.

5. The counsel for the appellant, on enquiry, states that there is no dispute in this appeal as to the Block in which the land is situated. Otherwise, counsel for the appellant has supported the application for condonation of delay.

6. Following the spirit of principle of parity, it is deemed appropriate to condone the delay in preferring the appeal, subject to the appellant paying costs of Rs.25,000/- to the counsel for the respondent no.1 and further subject to the condition that the appellant will not be entitled interest on the enhanced compensation for the period of delay.

7. CM 27419/2015 is disposed of.

8. The appeal is allowed. The compensation awarded by the Reference Court is enhanced in terms of the judgment aforesaid of the Supreme Court, save that the appellant will not be entitled to interest on the said enhanced compensation for the period of delay.

9. The appeal is disposed of.

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

RAJIV SAHAI ENDLAW, J

AUGUST 07, 2018

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