



2023:DHC:9190



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

Date of decision: 18.12.2023

+ **W.P.(C) 4917/2017**

VARSHA MANDIRATA & ORS

..... Petitioners

Through: Mr.Ajay Garg, Ms.Tripti Gola,
Ms.Lhingdeihat Chongloi,
Adv.

versus

DELHI TRANSPORT CORPORATION (DTC) & ORS

..... Respondents

Through: Mr.Sarfaraz Khan, Mr.Amir
Mirza Baig, Mr.Abdul Wahid,
Ms.Athar Fatima, Adv. for R-
1.
Mr.Amit Andlay, Adv. for R-2.
Mr.Santosh Kr. Tripathi,
Mr.Achal Gupta, Adv. for R-3.
Mr.Sahil Paul, Adv. for R-4.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioners claiming compensation for the unfortunate death of late Mr.Jeevan Dass (hereinafter referred to as the 'Deceased'), the husband of the petitioner no.1 and the father of the petitioner nos. 2 to 4, due to the falling of the Bus Que Shelter (in short, 'BQS') under which he had taken shelter due to rain and heavy storm on 13.06.2016. Due to the injuries suffered by the deceased in the above said accident, he



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unfortunately died on 11.08.2016, while remaining under treatment in the Intensive Care Unit for almost two months.

2. The learned counsel for the petitioners submits that the respondents have not denied that the deceased had suffered grievous injuries due to the falling of the BQS. He submits that the fact that the BQS fell/collapsed, presents to this Court, the fact of negligence of the respondents, which are *res ipsa loquitur*, and, therefore, the petitioners are entitled to compensation for the negligence of the respondents, which had resulted in the unfortunate death of the deceased.

3. The learned counsel for the petitioners submits that the deceased, at the time of his death, was working with the Delhi Development Authority, that is, the respondent no.4 herein, and was drawing a monthly salary of Rs.37,834/-. He submits that as per the 7th Central Pay Commission recommendation, which came into effect from 01.01.2016, the deceased would have been entitled to a salary of Rs.45,059/- per month, as has been admitted by the respondent no.4 in its counter affidavit. He submits that the compensation should accordingly be determined based on the formula adopted for awarding compensation in favour of the victims of a motor vehicle accident.

4. On the other hand, the learned counsel for respondent nos.1 and 2, while not disputing that the deceased lost his life due to the collapsing of the BQS on 13.06.2016, pass the blame of the collapse of the BQS on to each other by contending that the BQS was under the maintenance of the other. In support of their submissions, they had *inter alia* placed reliance on the Office Order dated 16.08.2010, correspondence exchanged between themselves on the question of



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handing over of the BQS and certain orders which were passed on litigations initiated by the advertising concessionaires on these BQS.

5. They further submit that pursuant to the order dated 05.07.2019 passed by this Court in FAO 154/2013, titled ***Writer Safeguard Ltd. v. Commissioner under Employees Compensation Act & Ors.***, ‘*Guidelines for Settlement of Claims for Compensation for death or Permanent Disability arising from accidents faced by members of general public and certain categories of persons in the department of Economic Affairs and Autonomous Organisations and Public Sector Undertakings under its control*’ (hereinafter referred to as the ‘Guidelines’) had been framed, whereunder in case of a death caused due to any accident, an ad hoc compensation of Rs.10,00,000/- is payable. They submit that, therefore, the petitioners, at best, would be entitled to a compensation of Rs.10,00,000/-, leaving it open to the petitioners to avail of their civil remedies in case they are of the opinion that they are entitled to further compensation.

6. The learned counsel for the respondent no.4 submits that as far as respondent no.4 is concerned, it has reimbursed the entire medical cost/expenses incurred by the petitioners on the treatment of the deceased. He submits that there is no negligence pleaded by the petitioners against the respondent no.4, and the respondent no.4 cannot be made liable to pay compensation for the unfortunate death of the deceased in the above said accident.

7. I have considered the submissions made by the learned counsels for the parties.

8. It is not denied by the respondent nos.1 and 2 that the deceased



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suffered fatal injuries due to the falling of the BQS under which he had taken shelter from rain on 13.06.2016. The respondent nos.1 and 2 have also not attributed any natural cause for the falling of the BQS. Therefore, the fact that the BQS was not properly maintained, due to which it collapsed on 13.06.2016, leading to the deceased suffering fatal injuries, are *res ipsa loquitur*.

9. This Court in ***Darshan v. Union of India***, 1999 SCC OnLine Del 326, while considering the claim of the petitioners therein, who were a widow and minor children of a person who fell into an open manhole and died due to drowning, held that where the negligence of the Instrumentalities of the State and dereliction of duty is writ large, leading to deprivation of life or limb of a person, Article 21 of the Constitution of India is attracted, and the petitioners are entitled to invoke Article 226 of the Constitution of India to claim monetary compensation, as such a remedy is available in public law based on the strict liability for breach of fundamental rights. A claim of compensation in case of a breach of public duty by an Instrumentality of the State resulting in deprivation of life, would be maintainable under Article 21 of the Constitution of India.

10. The Supreme Court in ***State of H.P. v. Naval Kumar***, (2017) 3 SCC 115, has held as under:

“14. The High Court held and, in our view, rightly that the incident in question occurred due to the negligence of the State and its authorities and hence, the State was vicariously liable to compensate the respondent for the losses sustained by the respondent. It may be mentioned that the State rightly did not challenge this finding and



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hence, we need not go into its correctness....”

11. In **Ram Kishore v. MCD**, 2007 SCC OnLine Del 992, this Court reiterated that there can be no question that in its Writ jurisdiction under Article 226, this Court can grant the relief of compensation based on the strict liability principle in a situation where there is a breach of a public duty. If the claimant is able to show that the State has acted negligently or that the State or its Instrumentality failed to discharge the duty of care cast upon it, resulting in deprivation of life or limb of a person, the Court shall have the power to grant compensation in the exercise of its jurisdiction under Article 226 of the Constitution of India. In discharging the burden of proving negligence, it would be open to the claimant, if the facts and circumstances so permit, to invoke the *res ipsa loquitur* doctrine.

12. In **Madhu Kaur v. Govt. (NCT of Delhi)**, 2009 SCC OnLine Del 1842, this Court relying on public law doctrine and the judgment of the Division Bench of this Court in **Delhi Jal Board v. Raj Kumar**, (2005) 125 DLT 120, reiterated that when a power is given to do some act, it also implies a duty to act properly. The principles of Strict Liability would apply in such circumstances.

13. In **Mahipal Singh Chauhan & Ors. v. The State (NCT of Delhi) & Ors.** 2017 SCC OnLine Del 8135, this Court invoked the principles of *res ipsa loquitur* where it was established that the accident had occurred due to the failure to maintain the electrical installation on the high mast pole.

14. In **Subramaniam and Anr. v. Delhi Metro Rail Corporation**



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and Ors, 2013 SCC OnLine Del 2363, where an eight year old child died on account of asphyxia caused by drowning in a storm water drain, which was meant to be enclosed, it has been held that as long as the factum of the occurrence of the accident is not in dispute, the mere fact that the responsibility could not be fixed on one or other Instrumentality of the State because of their overlapping jurisdiction, it need not inhibit this Court in granting compensation to the victim's family while exercising its jurisdiction under the Article 226 of the Constitution of India. The Court also rejected the submission of the respondents therein of an alternative remedy available to the family of the deceased. It was held as under:

“11. In so far as issue no. (i) is concerned, in my opinion, the courts in India have over a period of time unshackled its conservative approach of not entertaining causes while exercising extraordinary original jurisdiction under Article 226 of the Constitution, in such like cases. The rigour of conservatism has been relaxed, not only in the field of civil wrongs that is, torts, but also in the area of contracts where State or its instrumentalities are parties. As a matter of fact, the courts have gone to the extent of saying that it would be incorrect to state that where facts are disputed, a writ court would not have jurisdiction to entertain a petition under Article 226 of the Constitution. It is one thing to say that the court in its discretion may not entertain a petition in which disputed questions of fact arise for consideration, it is another thing to contend that a court does not have jurisdiction to entertain a petition which raises disputed questions of fact. The latter proposition is now discarded by the Supreme Court. [See. Smt. Gunwant Kaur v. Municipal Committee Bhatinda (1969) 3 SCC 769 and



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ABL International Ltd. v. Export Credit Guarantee Corporation of India Ltd. (2004) 3 SCC 553.

11.1 The approach, with regard to civil wrongs committed by officers of the State or the instrumentalities of the State are on no different footing where claims are based on strict liability. While there is no gainsaying that, an affected person could vindicate his right qua a civil wrong committed on him, by instituting a civil suit, a claim in public law for compensation, for unconstitutional deprivation of the fundamental right to life, would also be available to him. This claim would be in addition to the claim available in private law for damages caused on account of tortious acts of the public servants. Compensation, if any, would be paid by constitutional courts for 'established infringement of rights granted under Article 21 of the Constitution'.

11.2 In this behalf, the courts have eschewed the policy of relegating an aggrieved party to a remedy of a civil suit, where there is established violation of the victim's right under Article 21 of the Constitution, on the ground that it may be long drawn and cumbersome, and at times, result in illusory relief to the victim's family. The power conferred on the court, whether under Article 32 or Article 226 of the Constitution is exercised, where the violation of the fundamental right is gross and patent - it affects a large number of persons, or it would be unjust or unduly harsh and oppressive either on account of the poverty of the claimant or his socially and economically disadvantaged position, to relegate him to a civil action for infringement of his rights. See observations of the Supreme Court in the case of MC Mehta v. Union of India, (1987) 1 SCC 395; Nilabati Behera (Smt) alias Lalita Behera (through the Supreme Court Legal Aid Committee) v. State of Orissa, (1993) 2 SCC 746; D.K. Basu v. State of West Bengal (supra); Shakila Abdul Gafar Khan (Smt.) v. Vasant Raghunath Dhoble, (2003) 7 SCC 749;



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and *Sube Singh v. State of Haryana*, (2006) 3 SCC 178.

11.3 Most of the aforementioned cases were reviewed by the Supreme Court in the case of *MCD v. Association of Victims of Uphar Tragedy*; AIR 2012 SC 100, where the court sustained the grant of compensation, with some modification, to the families of the victims and those who were injured in the fire, which occurred in the Uphar Cinema Theatre at Delhi. A Division Bench of the Supreme Court after reviewing its own previous precedents pushed the envelope a little further by observing that:- “... what **can be awarded as compensation by way of public law remedy need not only be nominal palliative but something more. It can be by way of making monetary amounts for the wrong done or by way of exemplary damages, exclusive of any amount recoverable in a civil action based on tortious liability...**”

11.4 Therefore, the respondent's objection to the maintainability of the writ petition, for claim of compensation, is not tenable. The petitioners, as indicated above, are persons of modest means who seek compensation for violation of their child's right under Article 21 of the Constitution.”

15. In *Rajeev Singhal & Anr. v. MCD (East Delhi Municipal Corporation) & Anr.*, 2018 SCC OnLine Del 11518, a Division Bench of this Court, while dealing with a similar set of facts, has held that a mere *inter se* dispute between two or more authorities on who is responsible to pay the compensation to the victims of their negligence, should not be a ground to refuse to exercise jurisdiction under Article 226 of the Constitution of India to award compensation to such victims. It was held as under:

“15. Apart from the aforesaid facts being established, it is also established that the



accident took place because of the negligence in the matter of maintenance of the electrical installation within the park. In the backdrop of aforesaid admitted fact, the learned writ Court analysed various aspects of the matter and as detailed hereinabove in para (14) came to the conclusion that Akshat, no doubt, was the victim who had succumb to death on the fateful day due to the electrocution which took place in the Sanjay Park. The negligence appears to be writ large and these facts are not disputed. Having held so, only because there was an inter se dispute between respondents No. 1 and 2, as to who amongst them is negligent, the writ Court refused to exercise its jurisdiction under Article 226 of the Constitution of India for holding that there are disputed questions of facts and for doing so relied upon the judgment in the case of Chairman, Grid Corporation of Orissa (supra).

16. In our considered view, in doing so, the learned writ Court wholly misdirected itself and committed an error of law and fact in dismissing the writ petition. The judgment in the case of Chairman, Grid Corporation of Orissa (supra) will have no application in the facts and circumstances of the present case when negligence in the maintenance of electrical equipments and installation within the park was proved and death of the child due to electrocution was also proved. In the case of Chairman, Grid Corporation of Orissa (supra), the very fact about the negligence resulting in occurrence of the accident was itself in dispute.

17. In the present case, occurrence of the accident, which was a result of the negligence is established. It is only the question as to who between the respondents is negligent which is the disputed question of fact. That being so, the law laid down in the case of Chairman, Grid Corporation of Orissa (supra), in our considered view, will have no application in the facts and circumstances of the case. On the contrary, the question has been considered



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and answered in favour of the petitioner in the case of Varinder Prasad (supra) by a Bench of this Court.

18. In the case of Varinder Prasad (supra) also similar situation was in existence. In that case also, a boy aged 10 years died on account of a shed (chhajja) of a house situated in DESU Colony, Najafgarh collapsing and falling on him. In that case also negligence in maintenance of the chhajja was proved but there was inter se dispute between the Delhi Transco Limited and various other government authorities which resulted in an inter se dispute between them with regard to the question of negligence and while taking note of the aforesaid situation, relying upon earlier judgments of this Court and the Supreme Court in the case of D.K. Basu (supra), Neelabati Behera (supra), Rudal Shah (supra), Ram Kishore (supra) and Darshan (supra), it has been held by this Court that once occurrence of the incident, factum of death of the victim consequent to negligence are established, merely because there is an inter se dispute between the respondents as to who is responsible for the accident or the negligence, the writ petition could not be dismissed. The law laid down in the case of Chairman, Grid Corporation of Orissa (supra) was considered and after taking note of various judgments, the learned Court in the case of Varinder Prasad (supra) in para (31) has dealt with the issue in the following manner:

“31. Consequently, I have no hesitation in concluding that the present being a case of glaring and evident negligence, to which the maxim Res Ipsa Loquitor applies, the present writ petition under Article 226 of the Constitution of India is maintainable as the said negligence has led to complete infraction of the fundamental right to life of the deceased. The inter se dispute between the two respondents, i.e. respondent nos.



1 and 2, would not come in the way of the petitioners for claiming compensation for breach of the fundamental rights of the deceased Ajay Kumar. The tendency of the public authorities, when more than one of them is involved, to shift the burden on each other is not new. Same was the position in Darshan (supra), and Ram Kishore (supra) and Swarn Singh (supra). The said inter se dispute was held, not be disentitle the petitioner from claiming relief under Article 226 of the Constitution of India, as negligence, resulting in breach of fundamental rights was held to have been established in each of these cases. The Court shall, however, prima facie examine the aspect of responsibility, only with a view to fix the responsibility of one of the respondents to pay the awarded compensation, leaving it open to the respondents to battle out and settle their inter se liability in appropriate proceedings.”

19. From the aforesaid, it is clear that merely because there is an inter se dispute between the respondents, it would not disentitle the petitioners from claiming the relief under Article 226 of the Constitution of India as negligence resulting in breach of Fundamental Rights is held to be established. Even though the judgment in the case of Varinder Prasad (supra) has been rendered by Single Judge of this Court but the said judgment refers to various judgments not only of Supreme Court but also of this Court and once in this case the finding recorded is to the effect that the accident took place because of negligence in the matter of maintenance of electrical equipments and it is also proved that the accident was a consequence of such negligence, merely on account of inter se dispute between the parties, namely, respondent No. 1 and respondent No. 2, in our



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considered view, the petitioner could not be non-suited or their petition is dismissed. Once the factum of accident having occurred resulting into death of the child and the accident being a consequence of negligence are established, the learned writ Court should have, in our considered view, proceeded to assess the compensation and awarded it to the appellants instead of dismissing the writ petition. In fact, the inter se dispute on facts between the respondents cannot be a ground for dismissing the writ petition. On the contrary, as has been done in various cases including the case of Varinder Prasad (supra), the Court should have held both the respondents jointly and severally liable for payment of compensation, imposed 50% liabilities on them and thereafter left it to them to work out their inter se dispute, particularly so when both the respondents are functioning under the control of the Government.”

16. In view of the above, there can be no dispute that the deceased lost his life due to the negligence of the respondent no.1/respondent no.2 or both, and that the petitioners deserve to be compensated for the same by them.

17. As far as the submission of the learned counsels for the respondent no. 1 and 2 that the petitioners shall be entitled to compensation of only Rs. 10 lakhs in terms of the Guidelines is concerned, the Guidelines provide only for an ad-hoc and immediate relief to the victims of an accident. They are, in fact, based on no fault principle. They cannot in any manner limit the compensation that the victims would otherwise be entitled to, in law. Clause 6 of the Guidelines is reproduced herein below:

*“6. **Extent of Liability:** On the occurrence of any accident as defined under these*



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Guidelines, the Department shall, whether or not there has been any wrongful act, neglect or default on part and notwithstanding anything contained in any other law, be liable to pay compensation to such extent as prescribed below:

(i) In the event of death or permanent disability resulting from loss of both limbs: Rs. 10,00,000/- (Rupees Ten Lakh)

(ii) In the event of other permanent disability: Rs. 7,00,000/- (Rupees Seven Lakh)."

18. A reading of the above would show that the compensation mentioned therein is basically in the nature of a no fault liability, and as stated hereinabove, are in nature of ad-hoc and immediate relief granted by the Government/Instrumentalities of State to the victims of such accidents.

19. In my view, therefore, only because of the above Guidelines, the petitioners cannot be denied their right to just compensation for the unfortunate death of the deceased in the accident.

20. Now coming to the question of compensation that would be payable to the petitioners, in my view, for determining the compensation which may be payable to the petitioners, the principles applied in cases of motor vehicular accident should be adopted, as they prescribe most reasonable basis on which such compensation can be determined.

21. In ***Madhu Kaur*** (Supra), this Court while considering the question of quantum of compensation, has held as under:

"17. The last question relates to quantum of compensation. Compensation in case of loss of



life is calculated on the basis of pecuniary loss and non pecuniary loss. Pecuniary loss compensates a person/claimant of the financial loss suffered. As the financial loss suffered pertains to uncertain future, arithmetical niceties are not required and a rough and a fair estimate is made on the basis of evidence and material placed on record. The Supreme Court after examining various theories for calculating quantum of pecuniary compensation, has repeatedly held that the multiplier method is logically sound and legally well established (refer, Lata Wadhwa v. State of Bihar, (2001) 8 SCC 197, GM Kerala, SRTC v. Susama Thomas, (1994) 2 SCC 176 and other cases). In R.K. Malik v. Kiran Pal, Civil Appeal No. 3608 of 2009 (Arising out of SLP (C) No. 17525 of 2006), decided on 15 May, 2009 the Supreme Court observed that:

“13. For calculating pecuniary loss or loss of dependency, this Court has repeatedly held that it is the multiplier method which should be applied. The said method is based upon the principle that the claimant must be paid a capital sum, which would yield sufficient interest to provide material benefits of the same standard and duration as the deceased would have provided for the dependents, if the deceased had lived and earned. The multiplier method is based upon the assessment that yearly loss of dependency should be equal to interest that could be earned in normal course on the capital sum invested. The capital sum would be the compensation for loss of dependency or the pecuniary loss suffered by the dependents. Needless to say, uniform application of the multiplier method ensures consistency and certainty and prevents different amounts being awarded in different cases.

14. For calculating the yearly loss of



dependency the starting point is the wages being earned by the deceased, less his personal and living expenses. This provides a basic figure. Thereafter, effect is given to the future prospects of the deceased, inflation and general price rise that erodes value and the purchasing power of money. To the multiplicand so calculated, multiplier is to be applied. The multiplier is decided and determined on the basis of length of dependency, which must be estimated. This has to be necessarily discounted for contingencies and uncertainties. Reference in this regard may be made to the judgments of this Court in the case of Sarla Dixit v. Balwant Yadav; Managing Director TNSSTC Ltd. v. K.T. Bindu; T.N. State Transport Corporation Ltd. v. S. Rajapriya; New India Assurance Co. Ltd. v. Charlie, and United India Insurance Co. Ltd. v. Patrica Jean Mahajan.”

18. The multiplier method involves ascertaining of loss of dependency or the multiplicand having regard to the circumstances of the case and capitalizing the multiplicand by appropriate multiplier. The multiplier is determined by the age of the deceased or the claimant. The object is to compute a capital sum which if invested would yield interest in a stable economy equal to the annual dependency. While ascertaining the dependency, regard is to be also given to the fact that ultimately the capital sum should be consumed over a period of time for which the dependency is expected to last.

20. In addition, the petitioner is also entitled to non pecuniary compensation. Death of a member of the family cannot be calculated only in terms of money and monetary compensation. The petitioner being the mother has suffered irreparable emotional loss of her young budding son. Compensation has to be paid to uplift the pain and soothen the loss suffered by



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the bereaving mother. Loss of company, loss of protection and motherhood is to be compensated. Compensation of Rs. 1 lac is awarded on this account. In other words, total compensation of Rs. 6,28,000/- will be payable by the respondent No. 1, Government of NCT of Delhi to the petitioner.”

22. As noted hereinabove, the learned counsel for the petitioners has submitted that though, as on the date of the accident, the deceased was drawing a monthly salary of Rs.37,834/-, the respondent no.4 in its counter affidavit has admitted that due to the implementation of 7th Pay Commission recommendation, his salary with effect from 01.01.2016 would be Rs.45,059/- per month. From the above, income tax payable by the deceased would have to be deducted.

23. He submits that the deceased was aged about 54 years at the time of the accident.

24. Keeping in view the age of the deceased at the time of the accident and in terms of the judgment of the Supreme Court in **Sarla Verma (Smt.) & Ors. v. Delhi Transport Corporation & Anr.** (2009) 6 SCC 121, a multiplier of 11 shall be applied.

25. Further, keeping in view the age of the deceased and his employment, and applying the ratio of the judgment of the Supreme Court in **National Insurance Company Ltd. v. Pranay Sethi & Ors.**, (2017) 16 SCC 680, future prospects of 15%, deserve to be added to the income of the deceased.

26. The deceased had left behind four legal heirs, that is, petitioners herein, therefore, 1/4th of his income deserves to be deducted from his personal and living expenses.



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27. In view of the above, the compensation payable to the petitioners is determined as under:

$$Rs.45,059 \times 115/100 \times 3/4 \times 12 \times 11 = \underline{Rs. 51,29,967.15/-}$$

28. In addition, the petitioners shall also be entitled to non-pecuniary compensation as the Death of a member of the family cannot be calculated only in terms of money and monetary compensation. The compensation under the non-pecuniary heads is determined in terms of the judgment of the Supreme Court in **Pranay Sethi** (supra) at Rs.15,000/- towards funeral expenses, Rs.15,000/- towards loss of estate and Rs.1,60,000/- (Rs.40,000 x 4) towards loss of consortium.

29. The total compensation payable to the petitioners is determined at **Rs. 53,19,967.15/-**.

30. As the tax liability cannot be ascertained with accuracy, the petitioners are held entitled to compensation at a lump sum amount of Rs.50 lacs. The above compensation shall carry interest at the rate of 7% per annum from the date of the accident till the date of the payment thereof by the respondent nos.1 and 2 or by both of them to the petitioners.

31. In the present case, as noted hereinabove, the respondent nos.1 and 2 dispute that the BQS was being maintained by them; they place the burden of maintaining the BQS on each other. This Court need not enter into this controversy. As far as the petitioners are concerned, they are entitled to receive compensation, which is otherwise due and payable to them.

32. As far as the *inter se* disputes between the respondent nos.1 and



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2 and their liability is concerned, in my view, as both the respondent nos.1 and 2 are the Departments under the respondent no.3, the respondent no.3 shall determine which of them or both of them, and in what proportion, they would pay such compensation as determined by this Court to the petitioners.

33. For this purpose, the Secretary, Ministry of Transport, Government of National Capital Territory of Delhi shall call for a joint meeting between the respondent nos.1 and 2 and determine the question of liability amongst the respondent nos.1 and 2, within a period of four weeks from today.

34. The respondent no.1 or the respondent no.2 or both of them, who are held liable to pay the compensation to the petitioners shall pay the same to the petitioners within a period of two weeks thereafter.

35. The decision of the respondent no.3 shall be binding on the respondent nos.1 and 2, inasmuch as such compensation shall be paid to the petitioners by the respondent(s) who is held responsible for paying the same. However, the said respondent(s), after paying the compensation to the petitioners, shall be entitled to challenge the decision of the Secretary, Ministry of Transport, Government of NCT of Delhi, in accordance with law.

36. The petitioners are also held entitled to the costs of the present litigation quantified at Rs.50,000/-, to be shared equally by the respondent nos.1 and 2. The costs shall be paid to the petitioners by the respondent no. 1 and 2 within a period of four weeks from today.

37. The petition is disposed of in the above terms.



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38. A copy of this judgment be sent to the Secretary, Ministry of Transport, Government of NCT of Delhi, for ensuring compliance.

NAVIN CHAWLA, J

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Click here to check corrigendum, if any