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

+ **LA.APP. 616/2023**

UNION OF INDIA

.....Appellant

Through: Mr. Siddharth Panda and Mr. Anil Pandey, Advocates (M:9891488088).

versus

SH. SUBHASH & ANR

.....Respondents

Through: Mr. R.K. Dhawan, Ms. Nisha Dhawan, Mr. V.K. Tang, Mr. Pawan Karan Deo, Mr. Naman Kkumr Thakur, Advocates for respondent no.2 (M:9899775330).

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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07.05.2025

CM APPL 60066/2023 (Delay of 1535 Days in filing the appeal)

1. By way of present application, the applicant/appellant seeks condonation of delay of 1535 days in filing the appeal.
2. For the reasons stated in the application, the same is allowed and the delay of 1535 days in filing the appeal is condoned.
3. The application is disposed of in the above terms.

LA.APP. 616/2023, CM APPL 60065/2023 (Stay)

1. The present proceedings have been instituted by the appellant under section 54 of the Land Acquisition Act, 1894 (hereinafter referred to as LAC Act), seeking setting aside of impugned judgement dated 06.06.2019 passed by the Learned ADJ, South West, New Delhi in LAC No.319/16 with respect to the award no.01/97-98 pertaining to the revenue estate of village

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Bawana, Delhi whereby, the fair market value of the land was enhanced and determined to be Rs. Rs.9,76,121/- per acre.

2. The facts of the case in brief are that land admeasuring 3604 Bigha 18 Biswas situated within the revenue estate of the village *Bawana*, Delhi was acquired vide notification dated 15.11.1996. Subsequently, on 21.11.1996, the said land was declared to be held under the possession of the acquiring authority, as mandated under section 6 of the LAC Act. The Land Acquisition Collector (LAC) awarded the compensation, based on the prevailing market price, valuing the land at Rs.1,86,500/- per bigha for land falling in Block 'A', Rs.1,61,500/- per bigha for land falling in 'B' Block vide award dated 04.07.1997. Thereafter, aggrieved by the aforesaid award amount, a reference petition bearing LAC No.319/16 was preferred by the respondent under section 18 of the LAC Act seeking compensation at enhanced rates besides interest thereon and solatium in addition to the compensation. The said reference was allowed vide order dated 06.06.2019 based on the judgement rendered by the Coordinate Bench of this Court in **LA APP. No.866/2005** dated 11.05.2006 titled 'Mahender Singh v. UOI & Ors.'

3. Though the appellant contends that there is no material on record indicting that the land in present case is similarly situated to the land in case of 'Mahender Singh v. UOI & Ors.'(supra), a perusal of the record would show notification issued under Section 4 and the Award passed by LAC in both cases pertain to land situated in village *Bawana*. Learned counsel could not point out anything from the records to the notice of Court that would suggest otherwise.

4. At this stage, Learned counsel appearing for the appellant/UOI

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concedes, upon instructions, that the decision in Mahender Singh (Supra) remained unchallenged and attained finality.

5. In view of the aforesaid submissions, the appeal along with pending applications is dismissed.

MANOJ KUMAR OHRI, J

MAY 7, 2025/rd

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