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

+ **LA.APP. 728/2010**

UOI & ANR

.....Appellants

Through: Mr.Sanjay Kumar Pathak, Standing
Counsel with Ms.K.K. Kiran, Mr.Sunil Kumar,
Mr.M.S. Akhtar, Mr.Mayank and Mr.Divakar
Kapil, Advocates

versus

DHARAM SINGH DECD THRU LRS

.....Respondent

Through: Ms. Sukhda Dhamija, Mr.Dimple
Dhamija and Mr. S.K. Rout, Advocates

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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29.04.2025

LA.APP. 728/2010

1. The present appeal has been preferred under Section 54 of the Land Acquisition Act, 1894 (hereinafter, '*the Act*') seeking setting aside of the judgment and decree dated 21.12.2009 passed by the Reference Court in L.A.C. Case No.109/09/05 in the context of Award No.28/2002-2003 pertaining to the revenue estate of the Village *Bijwasan*, Delhi.
2. Pithily put, the facts of the present case are that a Notification under Section 4 of the Act in relation to the revenue estate of the Village *Bijwasan*, Delhi was issued on 13.12.2000, followed by Declaration under Section 6 of the Act on 07.12.2001. The land statedly was acquired for public purpose for '*Dwarka Phase-II, Delhi for Planned Development of Delhi*'. The

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proceedings before the Land Acquisition Collector (hereinafter, 'LAC') resulted in passing of the aforesaid award. Vide the said award, the LAC awarded a compensation of Rs.13,82,000/- per acre in Block 'A' Land and Rs.12,32,000/- per acre for Block 'B' land for the land acquired, besides other statutory benefits. The award was assailed by the respondent by way of Reference under Section 18 of the Act, whereby the compensation amount was enhanced to Rs.15,00,000/- per acre in Block 'A' land and Rs.13,36,000/- per acre in Block 'B' land, besides awarding 30% solatium on the market value of the land and other statutory benefits. The aforesaid decision of the Reference Court was challenged by both the parties. While the challenge by respondent was registered as LA Appeal 88/2012, the challenge by Union of India is the present appeal.

It appears that many other land owners had also filed their respective challenges to the decisions of the Reference Court pertaining to village *Bijwasan*. The respondent's challenge in LA Appeal 88/2012 came to be allowed on 29.03.2012 by this Court when the compensation was further enhanced to Rs. 16,50,000 per acre for the Block 'A' land and Rs.14,69,600/- per acre in respect of Block 'B' land. Apparently, the present appeal was not listed on the aforesaid date. The decision in LA Appeal 88/2012 was further challenged again by both the parties before the Supreme Court. The civil appeals alongwith other batch petitions were considered by the Supreme Court with the lead case being Civil Appeal No. 2091/2014 titled as Impulse India P. Ltd Vs. Union of India and the decision was rendered on 13.02.2014. Pertinently, in the said decision, the compensation was further enhanced to Rs. 21,00,000 per acre for Block 'A' Land and Rs.19,00,000/- per acre for Block 'B' land. The appeals filed by the

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respondent being Civil Appeal Nos.11158-11175 of 2014 also came to be disposed of in terms of the decision passed in Impulse India (Supra).

3. Learned counsel for the respondent submits that the acquisition proceedings have attained finality and even the enhanced compensation amount alongwith other statutory benefits already stand received by the respondent.

4. Apparently, for the reason that this appeal being not listed on the date when the connected appeals were taken up and disposed of, it has remained pending in the Registry and in light of the above discussion, the present appeal has become infructuous.

5. In view of the above, the present appeal is disposed of as having become infructuous.

CM APPL. 20389/2025 (for release of sureties by the respondent)

1. By way of present application, the respondent seeks release of the sureties that were offered at the time of seeking release of the compensation amount before this Court.

2. The appeal having become infructuous and disposed of vide order passed in LA.APP. 728/2010 today and the compensation amount having already released and received by the respondent, the sureties are hereby discharged.

3. In view of the above, the present application is disposed of.

MANOJ KUMAR OHRI, J

APRIL 29, 2025

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