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

+ **CONT.CAS(C) 258/2018 & CM APPL. 24829/2024 (Exemption)**

JAGDISH SINGH & ORS

.....Petitioners

Through: Mr. B.S. Mathur, Mr. Rajat Mathur
and Ms. Aditee Mathur, Advocates.

versus

UDAI PRATAP SINGH & ANR

.....Respondents

Through: Ms. Shobhana Takiar, SC with Mr.
Kuljeet Singh, Advocate for DDA/R-
1.
Mr. Sanjay Kumar Pathak, SC with
Ms. Kiran Pathak, Mr. Sunil Kumar
Jha, Mr. Mohd. Sueb Akhtar, Ms.
Joohu Kumare, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **25.02.2026**

1. This hearing has been done through hybrid mode.
2. The present petition under Sections 11/12 of the Contempt of Courts Act, 1971, seeks the following prayers:

“It is therefore most humbly prayed that the appropriate orders may kindly be passed against the respondents under the provisions of the Contempt Of Court Act 1972 for non compliance of orders dated 18.04.2017 passed in W.P.(C) 8404/2015 and orders of LAC passed in compliance on 07.07.2017 thereby by imposing heavy penalty for nonpayment of the compensation amount and the respondents be directed to pay the compensation amount at the earliest in the interest of justice.”

3. *Vide* order dated 18.04.2017, learned Division Bench of this Court in



W.P.(C) 8404/215 passed the following order:

“The petitioner’s claim is that interest under Section 34 of the Land Acquisition Act has not been calculated and paid/deposited from the date of dispossession i.e. 23rd November, 2005 till the date of determination under the award, i.e. 10th March, 2013. The respondent’s contention is that there was a dispute as to the amount to postpone the determination itself. This Court is of the opinion that the stand of the LAC is officially unsupportable in law. A land owner is ordinarily entitle to interest from the date he or she is dispossessed. The interest clock stops ticking only when the entire compensation together with accrued interest is deposited.

In the present case clearly the period between the date of dispossession and the date of the award, is prima facie eligible for reckoning towards payment of interest under the Act. The LAC is directed to examine and pass appropriate orders in accordance with law within 8 weeks from today giving suitable advance opportunity to the petitioner in that regard. In the event of non-compliance with this order it is open to the petitioner to move this Court for revival of these proceedings.

The writ petition is disposed of in above terms.”

4. It is the case of the petitioner that in pursuance of the said order, the LAC/respondent no. 2 passed an order on 07.07.2017, whereby interest under Section 34 of the Land Acquisition Act was ordered to be released to the petitioner.
5. Attention of this Court has been drawn to a communication dated 21.09.2017 issued on behalf of LAC/respondent no. 2 to respondent no.1/DDA to release the interest under Section 34 of the Land Acquisition Act in terms of the amount as mentioned in the said letter.
6. Learned counsel appearing on behalf of respondent no. 2, in pursuance of the order dated 13.02.2023 passed by the learned Predecessor Bench of this Court, has placed on record an affidavit, wherein it is stated as under: -



“2. That the present contempt petition is pending disposal before the Hon'ble Court on the aspect of applicability of interest under section 34 of Land Acquisition Act, 1894 as such vide order dated 13.2.2023, the Hon'ble Court directed the Principal Secretary, Land & Building Department, New Delhi to hold a meeting with Director, LM of Delhi Development Authority to determine the compliance of order dated 7.7.2017 passed by the then LAC without delay. The Hon'ble Court also directed to place on record the minutes of meeting held between two officers and the steps proposed.

3. That in compliance of the direction passed vide order dated 13.2.2023, the meeting between the officers, stated supra, was called on 24.2.2023, 6.3.2023 and 10.3.2023 whereby all the contentions of both the departments were recorded and it was observed that the order dated 7.7.2017 was not a formal order but the observations of the then LAC on the note sheet and no formal order dated 7.7.2017 was issued. It was also observed that the order dated 21.10.2015 passed earlier by the then LAC on the writ petition number 8114/2014 filed by the petitioners was not brought to the notice of the then LAC when the observation was noted on 7.7.2017. It is humbly submitted that considering the above and other submissions of the officers present, the Additional Chief Secretary, Land & Building Department directed that the observation on the note sheet dated 7.7.2017 cannot be treated as a formal order of LAC and directed the undersigned to comply the direction passed by the Hon'ble Court vide order dated 18.4.2017 by passing a speaking order and after giving a due opportunity to the petitioners and DDA. A copy of the minutes of meeting dated 10.3.2023 are annexed herewith as Annexure R- 2/1.

4. That it is submitted that in compliance of the direction issued under the above-said minutes of meeting, the undersigned called both, the petitioners and the DDA and having considered the submissions of both the parties, the undersigned have passed the formal speaking order dated 10.5.2023 in compliance of the direction passed vide order dated 18.4.2017 in writ petition number 8404/2015. With all the due respect, the petitioners were not found to be entitled for interest under section 34 of the Land Acquisition Act, 1894 for the reasons explained in the Order dated 10.5.2023.



A copy of the Order dated 10.5.2023 is annexed herewith as Annexure R -2/2/.”

(emphasis supplied)

7. It is submitted that in pursuance of the aforesaid meeting as stated in the said affidavit, the final order dated 10.05.2023 *vide* F.No. F1(11)/LAC(N)/HC/Jagdish Singh/2023/304 has been passed on the basis of the representation in pursuance of the order dated 18.04.2017 in W.P.(C) 8404/2015.

8. It may be noted that the initial direction of the learned Division Bench was to dispose of the representation of the petitioner which has now finally been done *vide* order dated 10.05.2023. The issue raised by learned counsel for the petitioner is whether the order dated 07.07.2017 could have been withdrawn by the respondent no. 2 on account of an order passed earlier on 21.10.2015.

9. It is noted that that initial directions were for respondent no. 2 to decide the representation which has now been decided by order dated 10.05.2023. Accordingly, the present petition is disposed of with liberty to the petitioner to avail his remedies as available in law.

10. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

FEBRUARY 25, 2026/bsr