
(2010) 02 DEL CK 0380
In the Delhi High Court
Case No : La. App. 73 of 2010

Charan Singh

APPELLANT

Vs

Union of India (UOI) and Another

RESPONDENT

Date of Decision : 15-02-2010

Acts Referred:

Land Acquisition Act, 1894 — Section 4

Citation : (2011) 180 DLT 655

Hon'ble Judges : Hima Kohli, J

Bench : Single Bench

Advocate : V.S. Rana, for the Appellant; Ramesh Ray, for R1 and Shobhana Takiar, for R2/DDA., for the Respondent

Judgement

Hima Kohli, J.—The present appeal is directed against a judgment dated 03.04.2006 passed by the Reference Court in respect of land situated in village Tikri Kalan, covered under Award No. 17/1997-98, pursuant to the notification issued u/s 4 of the Land Acquisition Act, on 16.11.1995.

2. Counsel for the appellant states that the present appeal is covered by a common judgment delivered by the Division Bench on 19.12.2008, in a batch of matters pertaining to village Tikri Kalan, lead matter being Pratap Singh (deceased) through LRs v. Union of India and Ors. registered as La. App. No. 193/2006. Counsel for the respondent/Union of India states that he has obtained instructions from his client and verified that the Union of India has not preferred any appeal against the impugned judgment and decree. He further states that the aforesaid judgment in the case of Pratap Singh (supra) has attained finality in view of the fact that the SLP preferred by the respondent/Union of India as also by the landowners, registered as SLP(Civil) No. 573-628/2010 has been dismissed by the Supreme Court vide order dated 05.01.2010.

3. Guided by the judgment in the case of Pratap Singh (supra), it is held that the market value for the land falling in category "A" shall be maintained at Rs. 2,15,160.00 per bigha and for category "B" land at Rs. 1,73,500.00. In addition

to the market value, statutory benefits as granted to the appellant in the case of Pratap Singh (supra) shall also be granted to the appellant herein. However, it is clarified that the appellant shall not be entitled to claim interest on the enhanced compensation for the period of delay of 1272 days in preferring the appeal and costs in the appeal, in terms of the orders dated 20.01.2010 passed in CM 1123/2010 preferred by the appellant for condonation of delay in filing the appeal.

4. The appeal is disposed of. Decree sheet be prepared accordingly. Files be consigned to the record room.