

(1998) 11 DEL CK 0002

In the Delhi High Court

Case No : Civil Writ Petition No. 4518 of 1997

Nirbhay Singh and Others

APPELLANT

Vs

Union of India (UOI)

RESPONDENT

Date of Decision : 17-11-1998

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (1999) 77 DLT 181

Hon'ble Judges : Mukul Mudgal, J

Bench : Single Bench

Advocate : B.P. Gupta, for the Appellant; Nemo, for the Respondent

Final Decision : Allowed

Judgement

Mukul Mudgal, J.—None appeared on behalf of the respondents even on 10.2.1998 and 10.9.1998. The respondent was directed to pay a cost of Rs. 1,000/-within seven days. It appears from the official record that the order has not been complied with. It appears that the respondent is not serious about the matter.

2. The writ petition is accordingly taken up today. The prayer of the petitioner in the writ petition is that consequent upon the acquisition of land no compensation has been awarded to him and even the compensation pursuant to the award of the Collector had also not been awarded to him apart from the statutory benefits. Since the respondent has not filed counter affidavit and in accordance with the orders relied on by the petitioner, in CW 3095/92 wherein the Division Bench of this Court "directed the Union of India to pay to the petitioner the compensation within three weeks from today Along with interest at the rate of 10% p.a. from the date the compensation becomes payable till the date of actual payment". It is directed that the petitioner be paid the due compensation within 8 weeks from today Along with interest at the rate of 10% p.a. from the date the compensation becomes payable till the date of actual payment. The petitioner will also be entitled to all the other statutory benefits under the Act which have

to be included in the compensation amount on which 10% interest has been awarded. The petitioner will also be entitled to costs."

3. The respondent shall pay a cost of Rs. 5,000/- to the petitioner. This cost is in addition to the cost awarded by this Court on September 10, 1998. Cost to be paid within eight weeks from today.

The writ petition is accordingly allowed.