

(2001) 03 DEL CK 0173

In the Delhi High Court

Case No : C.M. No. 1310 of 2000 in R.F.A. No. 450 of 1995

Om Parkash and Another

APPELLANT

Vs

Union of India

RESPONDENT

Date of Decision : 30-03-2001

Acts Referred:

Citation : (2001) 93 DLT 78

Hon'ble Judges : Mukul Mudgal, J;Devinder Gupta, J

Bench : Division Bench

Advocate : Om Prakash, for the Appellant; Geeta Luthra, for the Respondent

Final Decision : Allowed

Judgement

1. This is an application seeking amendment to the memorandum of appeal to claim higher amount of compensation on the ground that while filing appeal, due to paucity of funds, the appellants could not claim proper amount of compensation had been claimed.

2. Considering the facts and circumstances of the case, the principle that a claimant must be paid fair amount of compensation in case his property is acquired for public purposed by the State and relying upon the ratio of the decisions of the Supreme Court in Harcharan Vs. State of Haryana, Bhag Singh and Others Vs. Union Territory of Chandigarh through the land acquisition collector, Chandigarh, ; The Scheduled Caste Co-operative Land Owning Society Ltd., Bhatinda Vs. Union of India and others, Chand Kaur and others v. Union of India, (1994) 4 SCC 663; Gokal Vs. State of Haryana, and Buta Singh (Dead) by L. Rs. Vs. Union of India, the prayer made in the application is allowed subject to the condition of the appellant making good the deficiency in amount of Court-fee within a period of four weeks. Application stands disposed of.

3. Application allowed.