

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ **LA. APP. 60/2010**

Date of decision: 26.02.2010

IN THE MATTER OF :

SMT. BHANI

..... Appellant

Through: Mr. V.S. Rana, Advocate

versus

UNION OF INDIA & ANR

..... Respondents

Through: Mr. Ramesh Ray, Advocate for R1/UOI.
Mr. Akshay Chandra, Advocate for R2/DDA.

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* **HON'BLE MS.JUSTICE HIMA KOHLI**

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| 1. Whether Reporters of Local papers may be allowed to see the Judgment? | No |
| 2. To be referred to the Reporter or not? | No |
| 3. Whether the judgment should be reported in the Digest? | No |

HIMA KOHLI, J. (ORAL)

1. The present appeal is directed against a judgment dated 02.05.2006 passed by the Reference Court in respect of land situated in village Tikri Kalan, covered under Award No.18/1997-98, pursuant to the notification issued under Section 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 vs. Union of India &

Ors. registered as **LA.APP. No. 193/2006.** Counsel for the respondent/Union of India also concedes the aforesaid position and states that the aforesaid judgment in the case of Pratap Singh (supra) has attained finality in view of the fact that the Special Leave Petition 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 1232 days in preferring the appeal and costs in the appeal, in terms of the orders passed today in CM 816/2010 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.

(HIMA KOHLI)
JUDGE

FEBRUARY 26, 2010
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