

LAC No.436/19

01.09.2021

The matter has been taken up through physical hearing.

Present: Sh.M.C. Verma, counsel for the petitioner.

Sh.Vinod Kumar, counsel for R-1/UOI.

None for R-2.

Sh. Mukesh Kumar, Patwari from LAC North.

BTF filed on behalf of R-1/UOI. It be taken on record.

As per record, the respondents have filed the WS. The same be taken on record.

As per record, notice of the application stands served upon R-1. Counsel for R-1 submits that he has not objection if the application is allowed.

None appeared for R-2 despite repeated calls.

Counsel for the petitioner filed the Surviving Members Certificate, perusal of which reveals that the details of the LRs mentioned therein is same as mentioned in para-2 of the application. On perusal of the record, I am of the opinion that the right to sue survives in favour of proposed LRs of deceased petitioner. Accordingly, the application is allowed. **It is made clear that LRs of deceased petitioner shall not be entitled for the interest from 18.09.2019 to 23.09.2020.** Amended memo of parties be filed within two weeks from today.

Counsel for the petitioner submits that the petitioner does not want to file the replication. Accordingly, the right of the petitioner to file the same stands closed. He submits that the petitioner admits the statement u/s 19 of LAC Act.

On the basis of the pleadings of the parties, the following issues are hereby framed:-

1. Whether the petitioner is entitled to enhancement to the compensation amount, and if so, at what rate? OPP

2. Relief.

No further issue arises or pressed.

Put up for PE on 10.02.2022.

(Pankaj Gupta)
ADJ-1(North)/Rohini Courts
Delhi/01.09.2021