

4 EXECUTION CIVIL 196-23
GYAN CHAND (DECEASED) Vs. UNION OF INDIA

07.04.2026

Present: Sh. S K Yadav (through VC) and Sh. Vikas Kumar,
ld. counsels for DH.
Ms. Sarita Aggarwal, ld. counsel for DDA through
VC.

The file of LAC no. 380/2016 has been received.
Heard and perused.

The District Nazir had raised objection with respect to the calculation on the ground that revise statement is required as decree holder had not taken the payment at the time of award and the reference was filed before award.

The main file shows that at the time of filing the reference under Section 18 LA Act, as per the statement under Section 19, the payment of award money was not given to the petitioners. It is nowhere explained in the WS of the UOI if there was any objection to the payment nor it is mentioned that the payment was offered but refused.

It is submitted by ld. counsel for DH that the DHs had applied for receipt of payment in the year 2007 itself but they were refused stating that there is some objection but no reference under Section 30-31 LA Act was ever filed in this case. To show that the DH had applied for payment, the counsel of DH has filed the copies of relevant documents prepared on 11.07.2007, to be filed before LAC, North West. These documents show that the DHs were ready to accept the payment but the payment was not

given to them.

This Court had already called for the report with respect to any objection ever filed by any party but report filed on 18.12.2025 shows that there was no objection with respect to share of parties. Hence, the DHs are not only entitled to enhanced amount but also to original award amount i.e. the actual amount of compensation of the land calculated by this Court vide order dated 18.12.2012 i.e. 19,17,583/- per acre alongwith additional sum of 12% in terms of Section 23 (1A) and solatium at 30% in terms of Section 23(2) of LA Act alongwith interest at 9% per annum for first year and at 15% per annum for subsequent years, in terms of Section 28 of the Act.

District Nazir, therefore, directed to make the calculation of the entire amount payable and issue warrants of attachment on filing of PF for next date of hearing.

Main file i.e. LAC no. 380/16 be sent back to record room.

List on 18.05.2026.

(Vikram)
DJ-1+ MACT, N/W, Rohini Courts,
07.04.2026