

1 LAC 2/19

DEVI RAM Vs. UNION OF INDIA

04.02.2026

Present : Sh. Ashish Kumar, Ld. Counsel for petitioner.
Sh. Sumit Kumar, Ld. Counsel for UOI
through the Ministry of Home Affairs.
Sh. Rajesh Gupta, Ld. Counsel for NTPC.
Sh. Satish Sharma, Ld. Counsel for LAC.

1. Vide order dated 20.02.2025, application under Order I Rule 10 CPC for deletion of name of NTPC was dismissed.
2. NTPC has not filed Written Statement in the present case despite appearing since April 2025. From April 2025 to August 2025, NTPC did not file Written Statement on the pretext that review application was pending before the Hon'ble High Court of Delhi for review or order by which NTPC was impleaded as a party and the matter was remanded back to this court. The said review petition was withdrawn by NTPC which was informed to this court on 26.08.2025 with liberty to move application before this court.
3. Even after 26.08.2025, NTPC did not file its Written Statement within the statutory period of 30 days. Again NTPC took more than a month to file application under Order I Rule 10 CPC without filing any Written Statement. The said application was decided vide order dated 20.12.2025 and NTPC was directed to file Written Statement on or before NDOH i.e. 14.01.2026.
4. On 14.01.2026 also, NTPC did not file any Written Statement stating that they are in the process of filing a revision against the order dated 20.12.2025. The matter was listed today and 10 days time was granted to NTPC to file Written Statement

subject to cost of Rs.10,000/-, yet Written Statement has not been filed till today.

5. Ld. Counsel for NTPC has submitted that since this is government agency, they could not file revision petition before the Hon'ble High Court of Delhi. He has further submitted that since the UOI has also not filed Written Statement, his time to file the same be extended.

6. The conduct of the NTPC is evident from the above summarization of the proceedings of the case. The plea of NTPC that certain documents are required to file the revision petition cannot be accepted at all as the NTPC has been trying to raise the issue of its deletion since April 2025 and now stating that they do not have any document to support their case is devoid of merits. Similarly, the plea that Written Statement has not been filed by UOI cannot be a factor to grant time to NTPC much beyond the statutory period to file their Written Statement.

7. The present case was referred to this court under Section 18 Land Acquisition Act, 1894 in 1970 and acquisition pertains to Section 4 Notification dated 1969. However, for the last seven months, NTPC has been arguing the case only on one issue when it has been decided by the Hon'ble High Court and application based upon liberty of the Hon'ble High Court has been decided by this court. Cost imposed upon LDOH has also not been paid. This completely shows the callous conduct of NTPC in dragging the issue for a long period of time.

8. At this stage, Ld. Counsel for NTPC has stated that this matter be deferred till the outcome of the revision petition. This again shows that attitude of the NTPC to drag the matter without even a revision petition being filed before the Hon'ble High Court.

9. There is no cause shown by the NTPC to extend any time. However, since NTPC was incorporated as party and the matter was remanded back, one further opportunity is granted to NTPC to file Written Statement within one week subject to further cost of Rs.50,000/- failing which the same shall not be taken on record.

10. Ld. Counsel for UOI has submitted that he has received the copy of the petition on 29.01.2026. He undertakes to file the Written Statement within two weeks. Let the same be filed within two weeks.

11. List **for 19.02.2026.**

12. At this stage, Ld. Counsel for NTPC has requested for reduction of cost.

13. However, in view of the above conduct of the NTPC and pendency of the matter since long, no cause for reduction of cost is made out. Let consolidated cost of Rs.60,000/- be paid on or before NDOH.

(Rahul Bhatia)
DJ-01 (South East) Saket Court
New Delhi/04.02.2026 (vg)