

MISC DJ 286/25

UNION OF INDIA Vs. INDER NARAIN HAR NARAIN

06.05.2026

Present: Ld. Counsel for applicants.
None for non-applicants.

1. A reference in LAC No. 22/11 U/S 30-31 of Land Acquisition Act 1894 came to be decided by the predecessor of this Court vide award dated 28.07.2014.
2. In the said award, *inter alia* it was held that "*all the five deceased partners of IP No. 2 firm through their respective legal heirs shall be entitled to 1/5th share each in the compensation of acquired land and structure standing thereon as per their respective shares to which they are entitled under the provisions of the Hindu Succession Act 1956*".
3. Now, as per the memo of parties, one of the five partners of IP No. 2 firm namely M/s Inder Narain Har Narain was one **Bhola Nath**. He too, as per the above award had died at the time of passing of the award and his legal heirs were on record namely (1) Santosh Mehrotra; (2) Satish Mehrotra; (3) Usha Mehra; (4) Nisha Khanna.
4. Thus, as per the award, money was to be paid to the above four persons as per their respective shares qua the money which came in the hands of Bhola Nath.
5. I may note that while in the award dated 28.07.2014, the name of legal heirs of Bhola Nath are mentioned as **(1) Santosh Mehrotra;** **(2) Satish Mehrotra;** (3) Usha Mehra; (4) Nisha Khanna, but, in the application moved on their behalf U/O XXII Rule 4 CPC, their names are mentioned as (1) **Santosh Mehra;** (2) **Satish Mehra;** (3) Usha Mehra; (4) Nisha Khanna. This application was filed on

26.07.2014 and was allowed on the same day by the Court concerned.

6. Now, as per the present application, the said Usha Mehra and Nisha Khanna gave no objection in favour of **Satish Mehra and Santosh Mehrotra** whereby they agreed that the money payable as their share may be given to their brothers named above.
7. The money payable to three individuals namely Satish Mehra, Santosh Mehrotra (in their individual capacity) and Usha Mehra (with Satish Mehra and Santosh Mehrotra receiving money on behalf of Usha Mehra as per order dated 07.12.2016 passed in M No. 47660/15) is stated to have been released and **only the money payable to Nisha Khanna is stated to be still pending.**
8. Eventually, it is submitted that there was a change in jurisdiction of Courts and an application for release of money was filed in the concerned Court of Shahdara district wherein Nisha Khanna gave her NOC for release of said money to her brothers namely **Satish Mehra and Santosh Mehrotra.** This application is stated to have been allowed vide order dated 06.09.2022. But, the said money could not be released as the same is stated to be lying deposited with the concerned Nazarat under North-East district.
9. Counsel for applicants submits that out of the above two brothers, Santosh Mehrotra has died and now, the money is liable to be received by his legal heirs namely Sanjay Mehrotra, Ritu Sharma and Pushpa Mehrotra.
10. I may note that the order dated 06.09.2022 passed by the Court of Sh. Ramesh Kumar-II was **passed in LAC Award No. 22A/11. I may note that the actual money payable to LRs of Bhola Nath was payable in LAC award No. 22/11.**

11. Now, before the money payable to Nisha Khanna can be ordered to be released, it shall be necessary that on the record of LAC 22/11, either some document/relinquishment deed in favour of her brother Satish and LRs of the other brother Santosh is filed so that the said money can be released to them. I may note that a direction in this regard was also given earlier vide order dated 09.12.2015 passed in M.No. 447660/15 and again vide order dated 07.12.2016.
12. I may also note that even though applicants allege that Santosh Mehrotra has died, no document in this regard has been filed. Again, no NOC favouring the LRs of Santosh Mehrotra is on record.
13. There is a confusion with regard to the correct name of the children of Bhola Nath. As noted above, as per the award in question, the name of two of the surviving LRs of Bhola Nath was **Santosh Mehrotra and Satish Mehrotra**, the application moved U/O XXII Rule 4 CPC in the said proceedings named them as **Santosh Mehra and Satish Mehra**.
14. In this application, one of the applicants is **Satish Mehra**. Now, whether this applicant is to be taken as Satish Mehrotra or Satish Mehra is not clear.
15. Again, the other individual namely Santosh is described by two surnames i.e. Mehra as well as Mehrotra. The application refers to an individual named **Santosh Mehrotra**. Clarity is required qua the correct surname of the said person also.
16. Accordingly, before any orders on the release of share of Nisha Khanna can be made, applicants should clarify the contradiction qua the surnames noted above; place on record duly authenticated relinquishment deeds in their favour and file relevant documents in support of their contentions.

17. In the meanwhile, let a report be also called from the Nazir concerned clearly delineating how much amount is due and payable to Nisha Khanna under the award in question.
18. I may note that the file of award No. 22/11 and miscellaneous file M.No. 447660/15 has been wrongly tagged with the file of award No. 28A/11 titled as 'Union of India Vs. Manav Arora'.
19. The award file of 28A/11 was consigned to Record Room against Goswara No. 45 in the month of March 2012 in mauza Diwani of district North-East. This file be sent to Record Room after de-tagging it with award file No. 22/11.
20. I may also note that there is another miscellaneous file (which was not registered and numbered separately) wherein order dated 06.09.2022 was passed by Sh. Ramesh Kumar-II by referring it to as LAC No. 22A/11. This contains 71 pages in all and essentially is a file belonging to LAC 22/11. This file be de-tagged from LAC No. 28A/11 and be placed with LAC No. 22/11. A copy thereof be made and be placed with LAC No. 28A/11 for completion of the said record and for memory purpose. Copy of this order be placed on the said file for record.
21. List on 22.05.2026.

Aashish Gupta
DJ-01/NE/KKD/DELHI
06.05.2026