



\$~58

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 230/2025**
MUNICIPAL CORPORATION OF DELHI

.....Petitioner

Through: Ms. Tajinder Viridi, Advocate.

versus

KITAB @ KITABO DEVI & ORS.

.....Respondent

Through: Mr. Sanjay Kumar Pathak and Mr. M.
S. Akhtar, Advocates for UOI.

CORAM:
HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **06.02.2025**

CM APPL. 7130/2025 (for exemption)

Allowed, subject to all just exceptions.

The application stands disposed of.

CM APPL.7129/2025 (Stay)

1. Petition challenges the orders dated 13.12.2024, 29.10.2024 & 17.09.2024 passed by the learned District Judge-04, South West, Dwarka Courts, Delhi in Execution Civil 274/2022.
2. The land Acquisition Collector passed award under Section 11 of the Land Acquisition Act. The Additional District Judge enhanced the compensation. Petitioner preferred an appeal against the judgment and decree, which was stayed by the High Court subject to payment of decretal amount by Union of India. The stay was later vacated due to non payment.
3. Execution proceedings were initiated against the Union of India, the



learned counsel for the petitioner submits that the learned Executing Court has travelled beyond the decree passed in the case by bestowing the entire liability on the petitioner.

4. Learned counsel appearing for UOI submits that MCD is the beneficiary department and land was acquired and handed over to MCD and therefore, primary liability is of the MCD to make the payment of compensation.

5. Issue notice to respondents, subject to taking of requisite steps, returnable on 12.03.2025.

6. Mr. Sanjay Kumar Pathak, learned counsel for respondent accepts notice on behalf of Union of India.

RAVINDER DUDEJA, J

FEBRUARY 6, 2025/PU/FS