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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **MAC.APP. 387/2019**

UNITED INDIA INSURANCE COMPANY LIMITED..... Appellant

Through: **Ms. K. Enatoli Sema, Advocate.**

versus

RAJENDER SINGH & ORS

..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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24.10.2019

CM APPL. 46968/2019 (by appellant for delay of 189 days in depositing balance awarded amount)

This application seeks condonation of 189 days' delay in depositing the requisite amount. The same is sought to be explained on the ground that it was on account of relevant files of this case not being readily available.

The learned counsel for the applicant, upon instructions, expresses profuse regret on behalf of the insurance company and says that delay was unintentional. The Court would note that the appellant had already paid most of the monies, in terms of the Award dated 24.03.2012 and only a residual amount of Rs. 1,69,832/- was to be paid. The same has been now been deposited.

Accordingly, the delay in depositing the requisite amount is condoned, subject to the applicant planting 550 trees, for which the appellant shall depute an officer, who shall appear before the DCF(South) on



31.10.2019. The latter shall indicate the place where the trees shall be planted in the “*Insaaf Bagh*” area of the Central Ridge. The trees shall be of deciduous indigenous variety and they shall have a nursery age of three and a half years and shall have a minimum height of at least six feet. The appellant will take care of the trees for the next three months. Depending upon the soil type and topography, the DCF may consider the following types of trees for plantation:-

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| (i) Gular (Cluster Fig) | (ii) Kadamba (Burflower Tree) |
| (iii) Pilkhan (White Fig) | (iv) Jaamun (Black Plum) |
| (v) Bargad (Banyan Tree) | (vi) Mango |
| (vii) Amaltas (Golden Shower)
[Indian Laburnum] | (viii) Mahua (Butter Tree) |
| (ix) Putranjiva | (x) Badh |
| (xi) Sagwan (Teak Wood) | (xii) Safed Siris (Albizia Procera) |
| (xiii) Kala Siris | (xiv) Anjeer |
| (xv) Kathal- Jackfruit | (xvi) Palash |
| (xvii) Arni | (xviii) Bistendu |
| (xix) Rohida | (xx) Medshingi |
| (xxi) Palash/Tesu/Dhak | |

Compliance Report shall be filed by the appellant and the DCF concerned on or before the next date. Aerial photographs taken by drone mounted cameras of the plantation shall be furnished both by the appellant as well as by the DCF concerned, on the said date.

List on 19.11.2019 for compliance.

A copy of this order be given *dasti* to the learned counsel for the parties under the signature of the Court Master.

NAJMI WAZIRI, J

OCTOBER 24, 2019

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