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

+ **LA.APP. 67/2024**

DHARAMVIR SINGH

..... Appellant

Through: **Mr. Jai Prakash Sharma, Advocate**

versus

UNION OF INDIA & ANR.

..... Respondents

Through: **Mr. Sanjay Kr. Pathak, SC with Mr. M. S. Akhtar, Ms. Nidhi Thakur, Mr. Mayank Arora, Advocates for UOI Mr. R. K. Dhawan, SC with Ms. Neha Dhawan, Mr. V. K. Teng, Ms, Shivani Taneja, Ms. Anwesha Singh, Advocates for DDA/R-2**

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

% **02.05.2024**

CM APPL. 18706/2024 (delay of 401 days)

1. The present application is filed under section 5 of the Limitation Act, 1963 for condonation of delay of 401 days in filing the appeal.
2. It is stated in the application that the counsel for the appellant had applied for the certified copy of the impugned judgment on 01.02.2023 which was delivered on 16.02.2023. The appellant being a poor person, had to arrange finances for securing the court fees as well as the counsel's fees which he could do only on 22.03.2024. The counsel for the appellant prayed for condonation of delay.
3. The respective counsel for the respondents stated that the court may pass suitable orders regarding the condonation of delay but the appellant is not entitled to claim interest for the said period.



4. After considering all facts, the application is allowed and the delay of 401 days in filing the present appeal is condoned. However, it is made clear that the appellant shall not be entitled to claim the interest for the period of delay in filing the present appeal.

5. The application stands disposed of.

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6. The present appeal is filed under section 54 of the Land Acquisition Act, 1894 to set aside the impugned judgment and order dated 30.01.2023 passed by the court of Sh. Deepak Dabas, ADJ-01, North District, Rohini Courts, Delhi in LAC bearing no. 216/2019 arising out of the award bearing no. 12/2005-06/DC/(NW) pertaining to the Village Barwala, Delhi.

7. The counsel for the appellant stated that the connected appeal pertaining to the same village bearing LA. APP. no. 138/2018 titled as **Chander Bhan (Decd) Thr. LRs V Union of India & Anr.** has already been admitted and the same is ordered to be listed in the category of 'Regular Matters'.

8. Issue notice.

9. Mr. Sanjay Kumar Pathak, Standing Counsel accepts notice on behalf of the respondent no.1/UIO. Mr. R. K. Dhawan, Standing Counsel appearing on behalf of the respondent no. 2/DDA, accepts notice.

10. The appeal is accordingly admitted.

11. List the present appeal in due course in the category of 'Regular Matters' along with other connected appeal.

DR. SUDHIR KUMAR JAIN, J

MAY 2, 2024/j/am