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

+ **LA.APP. 177/2023**

UNION OF INDIA

..... Appellant

Through: Mr. Rajneesh Sharma, Advocate

versus

ASHWANI DABAS & ANR

..... Respondent

Through: Ms. Manika Tripathy, Standing
Counsel for DDA with Mr. Ashutosh
Kaushik, Mr. Manish Vashist, Mr.
Chirantan Saha and Mr. Rishabh,
Advocates

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **09.05.2023**

[The proceeding has been conducted through Hybrid mode]

CM APPL. 23483/2023

1. This is an application seeking condonation of delay in filing the present appeal.
2. For the reasons stated in the application, the delay of 38 days in filing the present appeal is condoned.
3. The application stands disposed of.

CM APPL. 23484/2023

4. This is an application seeking extension of time to affix the Court fees on the appeal.
5. For the reasons stated therein, the application is allowed. Further time of eight weeks is granted to affix the appropriate Court fees.
6. The application stands disposed of.

LA.APP. 177/2023 & CM APPL. 23482/2023 (Stay)

7. This is an appeal under Section 54 of the Land Acquisition Act, 1894



impugning the judgment and decree dated 01.12.2022 passed by Reference Court in LAC No. 363/2016 in respect of award No.12/2005-06 pertaining to revenue estate of Village Barwala, Delhi.

8. Mr. Rajneesh Sharma, learned counsel appearing for the appellant submits that the issue raised in the present appeal is similar to the one raised L.A. APP No. 138/2018 titled *Chander Bhan (Decased) through LRs vs. Union of India*, which was listed before this Court on 13.08.2018 and was admitted on same day and is now pending adjudication in the category of 'Regular Matters'.

9. Issue notice. Notice is accepted by Ms. Manika Tripathy, learned Standing Counsel appearing on behalf of respondent no.2/DDA.

10. Upon appellant taking steps within a week, notice be issued to unserved respondent, by all permissible modes. Additionally through learned counsel appearing for the unserved respondent before the learned Executing Court.

11. Upon deposit of the entire decretal amount within six weeks from today, the operation of impugned judgment shall remain stayed.

12. Admit.

13. List on 18.07.2023 before the Joint Registrar for completion of service.

14. Thereafter, list the present appeal alongwith L.A. APP No. 138/2018 in the category of 'Regular Matters'.

TUSHAR RAO GEDELA, J

MAY 9, 2023

Aj