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

+ **LA.APP. 140/2024**

UNION OF INDIA

..... Appellant

Through: **Mr. Rajneesh Sharma, Advocate**

versus

NARESH KUMAR & ANR.

..... Respondents

Through: **Mr. Ashim Vaccher, Standing
Counsel with Mr. Kunal Lakra,
Advocate for R-2/DDA**

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

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09.05.2024

CM APPL. 27637/2024 (for condonation of delay of 560 days)

1. The present application is filed under Order 41 Rule 3A read with section 151 of the CPC and section 5 of the Limitation Act, 1963 for condonation of delay of 560 days in filing the appeal.
2. Mr. Rajneesh Sharma, the counsel for the appellant stated that the impugned judgment was pronounced on 26.07.2022 and thereafter, the concerned file was forwarded to the Office of LAC for obtaining the necessary opinion. The appeal was processed after obtaining the opinion of the concerned LAC. The delay in filing the present appeal is neither intentional nor deliberate.
3. After considering all facts and in view of the reasons mentioned in the application, delay of 560 days in filing the present appeal is condoned.
4. The application stands disposed of.



CM APPL. 27639/2024 (exemption)

5. Allowed, subject to all just exceptions.
6. The application stands disposed of.

CM APPL. 27638/2024 (seeking extension of time to make up deficiency in court fee)

7. The present application is filed on behalf of the appellant under section 149 of the C.P.C seeking extension of time to make up for the deficiency in the court fees.
8. For the reasons stated in the application, the application is allowed and 08 weeks' time is granted to make up for the deficiency in the court fees.
9. The application stands disposed of.

CM APPL. 27636/2024 (stay)

10. By way of this application, the counsel for the appellant prayed for stay of the impugned judgment and order dated 26.07.2022.
11. The operation of the impugned judgment and order dated 26.07.2022 shall remain stayed, subject to the deposition of entire decretal amount within 08 weeks from today.
12. The application stands disposed of.

LA.APP. 140/2024

13. The present appeal is filed under section 54 of the Land Acquisition Act, 1894 to set aside the impugned judgment and order dated 26.07.2022 passed by the Court of Sh. Satish Kumar, ADJ-01, North District, Rohini Courts, Delhi in LAC bearing no. 179/2018 arising out of the award bearing no. 12/2005-06/DC/(NW) pertaining to the Village Barwala, Delhi.
14. Issue notice.



15. Mr. Ashim Vaccher, Standing Counsel appearing on behalf of the respondent no. 2/DDA, accepts notice.
16. The counsel for the appellant stated that the connected appeal bearing LA. APP. no. 138/2018 titled as **Chander Bhan (Decd) Thr. LRs V Union of India & Anr.** pertaining to the same village and award has already been admitted and is ordered to be listed in the category of 'Regular Matters'.
17. The present appeal is also admitted for hearing and be listed in the category of regular matters in due course along with other connected appeal.
18. In the meantime, notice be issued to the respondent no. 1 on taking necessary steps by the appellant within 04 weeks from today through all permissible modes.
19. List on 12.09.2024 before the Registrar for completion of service.

DR. SUDHIR KUMAR JAIN, J

MAY 9, 2024

N/ABK