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

+ **CONT.CAS(C) 1014/2025**

RAM CHANDER SINGH & ORS.

.....Petitioners

Through: Mr. Irfan Firdous, Mr. Monish Ali
Khan, Ms. Shailvi & Mr. Abdul
Kareem, Advs.

versus

SHIMRAY ASAIWO BELLROSE & ORS.

.....Respondents

Through: Mr. Sanjay K Pathak, Standing
Counsel for R1 to R4 with Mr. Sunil
K Jha & Mr. M S Akhtar, Advs.
Mr. Gaganmeet Singh Sachdeva,
Adv. for DDA

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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14.07.2025

CM APPL. 40922/2025

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

CONT.CAS(C) 1014/2025

1. This petition alleges wilful disobedience of order dated 24th January 2025 passed by this Court in ***W.P.(C) No. 14172/2023***. The issue relates to release of compensation along with interest, with respect to land measuring *3 Bighas 10 Biswas* out of *6 Bighas 10 Biswas* forming part of *Khasra No. 165* revenue estate of *Village Chaukri Mubarikabad, Delhi* with *Abadi*



known as *Jai Mata Market, Trinagar, Delhi-110035* ('subject land').

2. The issue was considered by this Court in the said judgement where *inter alia* the following was recorded:

9. It is relevant to refer to paragraph 5 of the said judgment, which is set out below:

“5. The mandate of Section 24(2) of the Act of 2013 is that if the appropriate Government or the concerned land acquiring body fails to pay compensation to the land owner within five years period immediately preceding to coming into force of the Act of 2013, i.e., 01.01.2014, the acquisitions are deemed to have lapsed. The controversy in this case, as urged by the LAC, is the petitioners' stand to claim the relief. On this aspect, this Court is satisfied that the petitioners have sufficient standing. The documents placed on record clearly demonstrate that Bode

Singh was one of the original owners. His claim of compensation was assessed and awarded. Furthermore, the award also recognizes the right of Panna Lal. The petitioners are none other than the legal representatives/ heirs of Panna Lal, who acquired Bode Singh's share of the lands through a registered Sale Deed. Given these facts, this Court is satisfied that the petitioners have a standing to maintain the present proceedings.”

10. It is clear from the above that the question whether the petitioners had any interest in the subject land was examined and held in favour of the petitioners. It is also material to note that although the LAC and DDA had appealed the said decision before the Supreme Court, the question whether the petitioners had interest in the subject land was not disputed.

11. The learned counsel appearing for the petitioner has also drawn the attention of this court to the *khatoni* of the village Mauja Chaukri Mubarikabad, Delhi, District North-West for the year 1986-87. The relevant extract of the said record is set out below:

“As per 0-4, Sr. No.40 by the Order of NT/82 File No.M-64/2000-2001 order dated 8.10.2000 heritage of Panna Lai regarding K.No. 165 Min area 6-10, revenue 1.80 PS- is allowed in favour Ramnal. Bhagmal, Ram Chander, Ved sons of Panna Lal and Shanti Devi- Jagrati- Kasnmeri Devi- Dharamwati Deyj daughters of Panna Lal in equal share.
Note: Khasra No. 165 Min is acquired through Award No.1686 dated 20.02.1964.”



12. The noting in the *khatoni* also indicate that the names of sons and daughters of Panna Lal were recorded as holding equal share in the subject land.

13. In view of the above, the question of withholding compensation on the ground that the petitioners do not have any interest does not arise. We, accordingly, direct the concerned authorities to take steps for disbursement of the compensation along with all other statutory benefits in accordance with law to the petitioners subject to verifying that extent of their interest in the subject land.

14. The amount will be disbursed within a period of twelve weeks from date.

3. Counsel for respondent no. 1/ the Land Acquisition Collector (LAC) appears and accepts notice. He states that petitioners were told to provide their Surviving Member Certificates (SMCs). Petitioners confirm that they went to LAC's office on 29th April 2025 and provided their details; however, there has not been any response since then.

4. Counsel for LAC/respondent no.1, states on instructions, that they have to verify the SMCs and therefore some time is required.

5. It is however, noted in *paragraph 6* of the judgment extracted above, that the issue of petitioners' interest in subject land had been examined and was held in favour of petitioners. Originally, time of 12 weeks had been given in order dated 24th January 2025.

6. The Court is accordingly, directing that the compensation be disbursed within a period of 2 months from today. This deadline will be sacrosanct and whatever procedure adopted by the LAC/respondent no.1 must be done within the period stipulated above. It is clarified that no further extension shall be granted.

7. In event of any issue or clarification, counsel of respondent no.1/LAC



shall communicate with the counsel for petitioners to iron out all the issues, so that compensation can be disbursed within the said period.

8. In case compliance is not made within the said period, the Court will be constrained to initiate contempt proceedings against respondent no.1/LAC in this regard.

9. It is also noted that the Government for NCT of Delhi (GNCTD) has filed a counter affidavit affirming that compensation has been deposited with the LAC. Relevant paragraph from the order dated 24th January 2025 is extracted under:

6. The Govt. of NCT of Delhi (hereafter *LAC*) has filed a counter-affidavit, *inter alia*, affirming that compensation in respect of the land comprising in Khasra No.165(12-19) was forwarded initially to the court of ADJ by a Cheque No. 389384 dated 03.09.1965. However, the same was received back. Subsequently, the said amount was deposited with the Delhi Treasury vide Cheque No. 394710 dated 10.03.1967.

10. At request of counsel for LAC/respondent no.1, additional one month is granted. Therefore, compliance to be made positively within the next 3 months.

11. List for compliance on 16th October 2025.

12. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 14, 2025/sm/sp+tk