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

+ LA.APP. 718/2010 & CM APPL. 12822/2010

UNION OF INDIAAppellant

versus

EM PEE METALS & ANRRespondents

28

+ LA.APP. 452/2009, CM APPL. 1613/2020, CM APPL. 30302/2020
& CM APPL. 11688/2025

INDIA EXPORT HOUSE PVT LTD.Appellant

versus

UOI & ANR.Respondents

29

+ LA.APP. 557/2009, CM APPL. 13968/2009, CM APPL.
2556/2010, CM APPL. 14948/2011 & CM APPL. 14949/2011

MCDAppellant

versus

M/S INDIA EXPORT HOUSE PVT LTD & ANRRespondents

30

+ LA.APP. 55/2021, CM APPL. 27696/2021
NORTH DELHI MUNICIPAL CORPORATIONAppellant

versus

M/S. ESVEE POLYMERS MANUFACTURING COMPANY &
ANR.Respondents

31

+ LA.APP. 84/2021& CM APPL. 69946/2024



32
+ M/S ESVEE POLYMERS MFG.COMPANY AND
ORSAppellants
versus
UNION OF INDIA AND ANRRespondents
LA.APP. 71/2010
UNION OF INDIAAppellant
versus
33 INDIA EXPORT HOUSE PVT LTD & ANRRespondents
+ LA.APP. 132/2010, CM APPL. 3388/2010, CM APPL. 23443/2011
& CM APPL. 23444/2011
MUNICIPAL CORPORATION OF DELHIAppellant
versus
34 SUMER MAL PATWARI TRUST & ORSRespondents
+ LA.APP. 337/2010
EM PEE METALSAppellant
versus
35 UNION OF INDIA & ANRRespondents
+ LA.APP. 451/2010, CM APPL. 8413/2010, CM APPL. 8416/2010,
CM APPL. 14950/2011 & CM APPL. 14951/2011
MCDAppellant
versus
AMAR NATH PASRISHA AND ANRRespondents



36

+ LA.APP. 634/2010, CM APPL. 10681/2010, CM APPL. 10684/2010, CM APPL. 16111/2010, CM APPL. 17424/2011, CM APPL. 17425/2011 & CM APPL. 17426/2011

MUNICIPAL CORPORATION OF DELHIAppellant

versus

EM PEE METALS & ANRRespondents

37

+ LA.APP. 38/2012, CM APPL. 57031/2023 & CM APPL. 7576/2025

HARISH VIRMANIAppellant

versus

UNION OF INDIA & ANRRespondents

38

+ LA.APP. 63/2012

UNION OF INDIAAppellant

versus

HARISH VIRMANI & ANRRespondents

39

+ LA.APP. 98/2016 & CM APPL. 65439/2025

NORTH DELHI MUNICIPAL CORPORATIONAppellant

versus

MOHAN LAL GHAI & ANRRespondents

40

+ LA.APP. 99/2016 & CM APPL. 36404/2017

NORTH DELHI MUNICIPAL CORPORATIONAppellant

versus



- 41 SANJAY KUMAR & ORSRespondents
+ LA.APP. 105/2016 & CM APPL. 36403/2017
NORTH DELHI MUNICIPAL CORPORATIONAppellant
versus
- 42 NARESH GUPTA & ANRRespondents
+ LA.APP. 108/2016
NORTH DELHI MUNICIPAL CORPORATIONAppellant
versus
- 43 SANDEEP SACHDEVA & ANRRespondents
+ LA.APP. 100/2016
NORTH DELHI MUNICIPAL CORPORATIONAppellant
versus
- 44 M/S RELIABLE MOTORS AND FINANCE &
ANRRespondents
+ LA.APP. 101/2016
NORTH DELHI MUNICIPAL CORPORATIONAppellant
versus
- 45 RAJ KUMAR TALWAR & ANRRespondents
+ LA.APP. 102/2016 & CM APPL. 74745/2025
NORTH DELHI MUNICIPAL CORPORATIONAppellant
versus
- 46 ASHOK KUMAR GHAI & ANRRespondents
+ LA.APP. 103/2016



47 NORTH DELHI MUNICIPAL CORPORATIONAppellant
+ versus
RAJINDER SINGH & ANRRespondents
LA.APP. 104/2016

48 NORTH DELHI MUNICIPAL CORPORATIONAppellant
+ versus
RAJINDER KAUR & ANRRespondents
LA.APP. 106/2016

49 NORTH DELHI MUNICIPAL CORPORATIONAppellant
+ versus
CHAMAN LAL SACHDEVA & ANRRespondents
LA.APP. 107/2016

50 NORTH DELHI MUNICIPAL CORPORATIONAppellant
+ versus
GURBIR SINGH & ANRRespondents
LA.APP. 109/2016

51 NORTH DELHI MUNICIPAL CORPORATIONAppellant
+ versus
DEVINDER KUMAR & ANRRespondents
LA.APP. 110/2016

NORTH DELHI MUNICIPAL CORPORATIONAppellant
versus



52 VIRENDER PAL ARORA & ANR ...Respondents
+ LA.APP. 263/2016 & CM APPL. 53004/2023
M/S ANANT RAJ PROJECTS LTDAppellant
versus

53 LAND & BUILDING DEPARTMENT & ANRRespondents
+ LA.APP. 107/2017, CM APPL. 13320/2017, CM APPL.
52224/2018, CM APPL. 35418/2021 & CM APPL. 51615/2023
NORTH DELHI MUNICIPAL CORPORATIONAppellant
versus

54 M/S ANANT RAJ PROJECTS LTD & ANRRespondents
+ LA.APP. 60/2019, CM APPL. 19878/2019, CM APPL. 4087/2020,
CM APPL. 4088/2020, CM APPL. 7948/2020 & CM APPL.
40836/2021
NORTH DELHI MUNICIPAL CORPORATION ...Appellant
versus

55 M/S POPULAR RUBBERS INDUSTRIES & ANR.....Respondents
+ LA.APP. 62/2019, CM APPL. 19891/2019 & CM APPL.
40895/2021
NORTH DELHI MUNICIPAL CORPORATIONAppellant
versus

56 DIVYA JAIN & ANRRespondents
+ LA.APP. 63/2019, CM APPL. 19959/2019 & CM APPL.



40832/2021
NORTH DELHI MUNICIPAL CORPORATIONAppellant
versus
M/S PREMIER RUBBER INDUSTRIES & ANR ...Respondents
57
+ LA.APP. 157/2019
NORTH DELHI MUNICIPAL CORPORATIONAppellant
versus
M/S GOEL BROS & ANRRespondents
58
+ LA.APP. 165/2019 & CM APPL. 7575/2025
POONAM VIRMANIAppellant
versus
UNION OF INDIA & ANRRespondents
59
+ LA.APP. 181/2019, CM APPL. 55957/2019 & CM APPL.
55959/2019
NORTH DELHI MUNICIPAL CORPORATIONAppellant
versus
POONAM VIRMANI & ANRRespondents
60
+ LA.APP. 44/2021 & CM APPL. 26276/2021
NORTH DELHI MUNICIPAL CORPORATIONAppellant
versus
RAJINDER KUMAR GUPTA & ANR.Respondents
61
+ LA.APP. 59/2021 & CM APPL. 27739/2021



62 NORTH DELHI MUNICIPAL CORPORATIONAppellant
+ versus
M/S DIVYA AUTOMATES & ANR.Respondents
LA.APP. 80/2021
RAJINDER KUMAR GUPTAAppellant
versus
63 UNION OF INDIA AND ANRRespondents
+ LA.APP. 81/2021, CM APPL. 33848/2021 & CM APPL.
33849/2021
UNION OF INDIAAppellant
versus
64 MAHINDER SINGH & ORS.Respondents
+ LA.APP. 88/2021
M/S DIVYA AUTOMATSAppellant
versus
65 UNION OF INDIA AND ANRRespondents
+ LA.APP. 19/2026 & CM APPL. 13289/2026
MUNICIPAL CORPORATION OF DELHIAppellant
versus
SANTOSH SURI & ANR.Respondents

Through: Mr. Maninder Singh, Sr. Adv. with Ms.
Smriti Asmita, Mr. Rahul Pandey, Ms. Janvi
Narang, Mr. Sagar, Advs for India Export
House Pvt. Ltd. in item Nos.28, 29, 32



Mr. Sanjay Vashishtha, SC with Mr. Siddhartha Goswami, Mr. Krish Bhatia, Advs. for MCD in item 10, 28, 20 to 65

Mr. Sanjay Kumar Pathak, SC for UOI with Mr. Sunil Kumar Mr. M.S. Akhtar, Advs. in item 28 to 65

Mr. Sanjay Kumar Pathak, SC for UOI with Mr. Sunil Kumar Jha, Mr. M.S. Akhtar, Advs. in item No.28 to 65

Mr. Vikrant Nitesh Goyal, Mr. Yash Basoya, Mr. Inderjeet Singh, Mr. Kunal Dixit, for MCD

Mr. S. K. Rout, Ms. Dimple Dhamija, Mr. Achin Saxena, Mr. Aman Mehrotra, Mr. Rahul Kumar, Ms. Parmita Nath, Ms. Alka Singh, Advs. for Appellant in item Nos.31, 62, 64, and Respondent/Land Owners in Item Nos.10, 54, 39, 41, 42, 45, 47, 51, 56, 55, 60, 62, 64, 30, 54

Ms. Prarthana Singhania, Adv. for R-1 in item No. 53 and for Appellant in item No.52

Mr. Deepak Khosla, Mr. Himayun Khan, Adv. for Petitioner in item No.58, 37 and Respondent in item No. 59 and 38

CORAM:
HON'BLE MS. JUSTICE SHAIL JAIN

ORDER
25.03.2026

%

CM APPL. 11688/2025 in LA.APP. 452/2009 (Seeking Amendment in Prayer)

1. The present application has been moved under Order VI Rule 17 read with Section 151 CPC,1908 seeking amendment of the prayer clause in the



appeal filed by the Appellant, which presently reads as follows:

“Allow the Applicant to amend the prayer of the appeal to read as follows: “The appeal may kindly be allowed, and the market value of the appellant's land be determined as ₹40,000/- per sq. mtr. for the land measuring 2462.34 sq. mtrs., along with statutory solatium and interest, thereby granting a decree for ₹9,84,93,600/-.”

2. The present application is allowed, considering that the amendment sought by the Applicant/Appellant is limited to the prayer clause, namely with respect to the calculation of the compensation claimed and the incorporation of the land size/area/measures, which were not mentioned earlier.

3. Let the amended plaint be filed and, upon being so filed, be taken on record in accordance with law.

4. Accordingly, the said application is allowed.

CM APPL. 1125/2023 in LA.APP. 55/2021 (Directions for Deposit of 50% of the Decretal Amount to the Appellant)

5. The present application has been filed under Section 151 CPC,1908 on behalf of Respondent No. 1 seeking the following reliefs:

“It is therefore. most respectfully prayed that this Hon'ble Court may kindly be pleased to allow the present application and the amended judgment & decree dated 11.04.2022 along with the certified copy of Nazir report dated 10.10.2022 be taken on record.

It is further prayed that the appellant may kindly be directed to deposit the entire 50% of the decretal amount in terms of the order dated 24.08.2021 passed by this Hon'ble Court as well the amended judgment & decree dated 11.04.2022.”

6. The present application is partly allowed to the extent of the prayer seeking to place on record the amended judgment and decree dated 11th



April, 2022 along with the certified copy of the Nazir Report dated 10th October, 2022. Let the same be taken on record.

7. Insofar as the other prayer seeking a direction to the Appellant to deposit 50% of the decretal amount in terms of the amended Judgment and decree is concerned, the same shall be considered at an appropriate stage.

8. List on 20th July, 2026.

CM APPL. 8792/2025 in LA.APP. 55/2021 (For Amendment of Appeal)

9. The present application has been moved on behalf of the Appellant/North Delhi Municipal Corporation under Order VI Rule 17 read with Section 151 CPC, 1908 seeking amendment in LA.APP. No. 55/2021.

10. Having considered the submissions made and the material on record, the present application is allowed.

11. Let the amended appeal be filed and taken on record.

LA.APP. 55/2021

12. Since, the appeal is amended *vide* Application being CM APPL. 8792/2025 and the Reference Court has already reviewed the Judgment, hereby the enhancement is allowed to the property owner has been enhanced. Appellant is now directed to deposit the 50% of the enhanced amount within five weeks.

13. After depositing the same, the Impugned Order remains stayed .

14. Both the parties are directed to file brief Written Submissions within the period of four weeks along with Compilation of Judgments, if earlier not filed by either of the parties with advance copy to the other side.

15. List on 20th July, 2026.

CM APPL. 20736/2023 in LA.APP. 55/2021 (For Vacating the Stay Order)



CM APPL. 60110/2023 in LA.APP. 55/2021 (For Dismissal of the Appeal)

16. The present applications, filed by Respondent No. 1 under Section 151 CPC, 1908 have become infructuous in view of the prevailing circumstances.

17. In view thereof, learned counsel for Respondent No. 1 seeks permission to withdraw the present applications.

18. Accordingly, the applications are dismissed as withdrawn.

CM APPL. 8793/2025 in LA.APP. 55/2021 (Seeking Stay)

19. The present application has been filed by the Appellant under Order XLI Rule 5 read with Section 151 CPC seeking stay of the operation of the amended judgment and decree dated 11th April, 2022.

20. It is submitted that the present application has become infructuous in view of the prevailing circumstances.

21. In view thereof, learned counsel for the Appellant seeks permission to withdraw the present application.

22. Accordingly, the application has been disposed of as withdrawn.

CM APPL. 34039/2023 in LA.APP. 84/2021 (for filing the additional documents)

23. The present application has been filed under Order 41 Rule 27 read with section 151 CPC on behalf of the Appellants seeking permission to file additional documents as evidence in the Appeal. The prayer in the application is set out below:

“It is, therefore, most respectfully prayed that the present application may kindly be allowed and the Gazette Notification passed by the Ministry of Urban Development dated 15.09.2006 may kindly be taken



on record and considered during the stage of final arguments.

Any other or further order(s) which this Hon'ble Court deems fit and proper may also be passed in favour of the appellants and against the respondents, in the interest of justice.”

24. Let the **Gazette Notification** be placed on record within two weeks.

25. The application is allowed and stands disposed of.

CM APPL. 69946/2024 in LA.APP. 84/2021 (for amendment in Appeal)

26. The present application is filed under Order 6 Rule 17 read with Section 151 CPC on behalf of Appellants seeking permission to amend the present appeal and placing the same on record.

27. Let the reply to this application be filed within four weeks. Rejoinder be filed within four weeks thereafter.

28. List this application before the Joint Registrar on 05th May, 2026.

CM APPL. 10685/2010 in LA.APP. 634/2010 (delay of 30 days in filing the Appeal)

29. The present application is filed under Order 41 read with Section 5 of the Limitation Act on behalf of Appellants seeking condonation of delay of 30 days in filing the Appeal.

30. Considering the grounds mentioned in the application, the delay is condoned. Accordingly, the application stands disposed of.

CM APPL. 16102/2010 in LA.APP. 634/2010 (for permission to place on record pay orders)

31. The present application has been filed by the Appellant under Section 151 Code of Civil Procedure to place on record **Pay Order No. 421569** in compliance with the order dated 01st June, 2010 passed by this Court in this



appeal.

32. Considering the grounds mentioned in the application, the same is allowed and stands disposed of.

CM APPL. 3944/2023 in LA.APP. 60/2019 (for change of date and name)

33. The present application has been filed on behalf of the Respondent under Section 151 CPC seeking permission to file the amended memo of parties in terms of the order dated 17.11.2022 duly intimating the change of name and the date of possession be also read as 25.10.2005 instead of 27.12.2004. The prayer in the application is set out below:

“It is, therefore, most respectfully prayed that this Hon'ble court may kindly be pleased to allow the present application thereby permitting the respondent no.1 to file the amended memo of parties in terms of the order dated 17.11.2022 duly intimating the change of name and the date of possession be also read as 25.10.2005 instead of 27.12.2004;

Any other or further order(s) which this Hon'ble Court deems fit and proper may also be passed in favour of the respondents and against the appellant, in the interest of justice.”

34. As per the grounds mentioned in the application, the same is allowed and stands disposed of.

CM APPL. 40837/2021 in LA.APP. 60/2019 (for condonation of delay of 344 days in filing cross objection)

CM APPL. 40838/2021 in LA.APP. 60/2019 (for condonation of delay of 211 days in re-filing the objections)

35. The CM APPL. 40837/2021 is filed application under Section 5 of



the Limitation Act read with Section 151 CPC seeking condonation of delay of 344 days in filing cross objection.

36. Considering the facts mentioned in the application, the application is allowed. Similarly, CM APPL. 40838/2021, filed for condonation of delay of 211 days in re-filing the objections, is also allowed.

37. Accordingly, both the applications stand disposed of.

LA.APP. 60/2019

38. List this matter before the Joint Registrar on 05th May, 2026.

CM APPL. 3848/2023 in LA.APP. 62/2019 (for change of spelling of name)

CM APPL. 6388/2023 in LA.APP. 62/2019 (for change in date of possession)

39. The CM APPL. 3848/2023 has been filed on behalf of Respondent No. 1 for change of spelling of name in the LA.APP. 62/2019.

40. Considering the facts stated in the application, the application is allowed. Similarly, CM APPL. 6388/2023 is filed on behalf of Respondent No. 1 for change of the date of Possession in LA.APP. 62/2019, is also allowed.

41. Accordingly, both the applications stand disposed of.

CM APPL. 40896/2021 in LA.APP. 62/2019 (for condonation of delay)

42. The present application under Section 5 of the Limitation Act read with Section 151 CPC is filed seeking condonation of delay of 352 days in filing the Cross-objections.

43. The application is allowed as well as disposed of.



CM APPL. 40833/2021 in LA.APP. 63/2019 (for condonation of delay)
CM APPL. 40834/2021 in LA.APP. 63/2019 (for condonation of delay)

44. The CM APPL. 40833/2021 has been filed under Section 5 of the Limitation Act read with Section 151 CPC seeking condonation of delay of 344 days in filing cross objection.

45. Considering the facts mentioned in the application, the application is allowed. Similarly, CM APPL. 40834/2021, filed seeking condonation of delay of 211 days in re-filing the Petition, is also allowed.

46. Accordingly, both the applications stand disposed of.

CM APPL. 3945/2023 in LA.APP. 63/2019 (for change in date of possession)

47. The present application has been filed under Section 151 CPC on behalf of Respondent No. 1 seeking permission for change in the date of possession in LA.APP. 63/2019. The prayer in the application is set out below:

“It is, therefore, most respectfully prayed that the present application may kindly be allowed and the date of possession mentioned in the appeal and judgment & decree may kindly be read as 25.10.2005 instead of 27.12.2004 in terms of the order dated 17.11.2022;

Any other or further order(s) which this Hon'ble Court, deems fit and proper may also be passed in favour of the respondents and against the appellant, in the interest of justice.”

48. Considering the facts and grounds mentioned in the application, the Application is allowed and stands disposed of.



CM APPL. 13289/2026 in LA.APP. 19/2026 (for stay)

49. The present application is filed under Order XLI Rule 5 read with Section 151 CPC seeking stay of the operation of the impugned order/judgement dated 25.08.2025.
50. Ld. Counsel for the Appellant submits that they will be depositing the compensation amount as per order dated 26th February, 2026 within two weeks.
51. Let the same be deposited within two weeks with the direction that no further extension shall be allowed.

LA.APP. 718/2010, LA.APP. 452/2009, LA.APP. 557/2009, LA.APP. 55/2021, LA.APP. 84/2021, LA.APP. 71/2010, LA.APP. 132/2010, LA.APP. 337/2010, LA.APP. 451/2010, LA.APP. 634/2010, LA.APP. 38/2012, LA.APP. 63/2012, LA.APP. 98/2016, LA.APP. 99/2016, LA.APP. 105/2016, LA.APP. 108/2016, LA.APP. 100/2016, LA.APP. 101/2016, LA.APP. 102/2016, LA.APP. 103/2016, LA.APP. 104/2016, LA.APP. 106/2016, LA.APP. 107/2016, LA.APP. 109/2016, LA.APP. 110/2016, LA.APP. 263/2016, LA.APP. 107/2017, LA.APP. 60/2019, LA.APP. 62/2019, LA.APP. 63/2019, LA.APP. 157/2019, LA.APP. 165/2019, LA.APP. 181/2019, LA.APP. 44/2021, LA.APP. 59/2021, LA.APP. 80/2021, LA.APP. 81/2021, LA.APP. 88/2021, LA.APP. 19/2026

52. Both the parties are directed to file brief Written Submissions within the period of four weeks along with Compilation of Judgments, if not filed earlier by either of the parties with advance copy to the other side.
53. List all these matters on 20th July, 2026.

SHAIL JAIN, J

MARCH 25, 2026/Pallavi/PD/HP/RM