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

+ LA.APP. 360/2022 & CM APPL. 51169/2022, 51170/2022,
51171/2022, 51172/2022

UNION OF INDIA

..... Appellant

Through: Mr. Sunil Kumar Jha for Mr. Sanjay
Kumar Pathak, Adv.

versus

SMT LAXMI DEVI & ORS.

..... Respondents

Through: Ms. Puja Kalra, Standing Counsel,
Mr. Virendra Singh, Adv for R-
2/MCD

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **28.11.2022**

CM APPL. 51169/2022(for exemption)

1. Exemption is allowed, subject to all just exceptions.

CM APPL. 51170/2022

2. Mr. Sunil Kumar Jha, learned counsel appearing for the appellants submits that the deficit court fee has already been paid. In that view of the matter this application stands disposed of being infructuous.

CM APPL. 51172/2022

3. By way of this application the petitioner seeks condonation of delay 137 days in filing appeal. Issue notice returnable on 16.03.2023.

CM APPL. 51171/2022 and LA 360/2022

4. Issue notice. Notice is accepted on behalf of R-2/MCD by Ms. Pooja Kalra.



5. Ms. Pooja Kalra draws the attention of the court to page 40 of the impugned order whereby it was noticed therein that the land was acquired by the Govt. of NCT of Delhi and the road over bridge which is built thereon is currently under and in care of the PWD and that the MCD, thus, has no role to play.
6. It is for the Union of India, the petitioner, to take appropriate steps in that regard.
7. Notice be served on all the remaining respondents by all modes including dasti as well as through the counsel who appeared before the learned Trial Court.
8. Subject to appellant depositing the decretal amount with the Registrar General of this Court within a period of 8 weeks from today there shall be a stay of the execution of the impugned judgment and decree dated 28.07.2021 passed in LAC No. 2/20 by learned Addl. District judge till the next date of hearing.
9. Renotify the Appeal on 16.03.2023 to be taken up along with LA appeal 299/2022 (Union of India Vs. Karan Singh Rana & Ors).

TUSHAR RAO GEDELA, J

NOVEMBER 28, 2022/gb