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

+ **EX.F.A. 5/2026**

ANAND PRAKASH & ORS.

.....Appellants

Through: Mr. Rishi Pal and Mr. Jatin Kumar,
Advocates.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Sanjay Kumar Pathak, SC for UOI
with Mr. Sunil Kumar Jha and Ms.
Joohu Kumari, Advocates.
Ms. Malvika Kapila Kalra, Ms.
Harbani Shinh and Ms. Apoorva Jain,
Advocates for DDA.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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16.01.2026

1. This hearing has been done through hybrid mode.

CM APPL. 3125/2026 (Exemption)

2. Allowed, subject to all just exceptions. The application is disposed of.

EX.F.A. 5/2026

3. The present appeal under Section 96 of the CPC read with Order XXI

Rule 103 of the CPC seeks the following prayers:

“(a) Set aside and quash the impugned judgement dated 05.12.2025 passed in Execution Petition No. EX-338/2017.

(b) Declare that the Appellants are entitled to statutory interest under Sections 28 & 34 of the Land Acquisition Act on the entire decretal amount including **solatium** and additional compensation at the rates prescribed by statute and the Decree (9% p.a. for the first year and 15% p.a. thereafter) from the date(s) fixed in the Decree (notification/possession as applicable) until actual payment.



- (c) Direct the Learned Executing Court to recompute the decretal dues in accordance with the Decree and controlling authorities and to direct the Respondents to deposit forthwith (within a time fixed by this Hon'ble Court) any admitted shortfall together with bank challans / primary documents and in default to pay the amounts as computed by the Appellants.
- (d) Declare the revised ENM chart filed by the Respondents in 2022 inadmissible for the purpose of altering the Decree unless accompanied by full primary documentary evidence (bank challans, registry receipts, proof of tender/notice to the Decree-Holders) and tested in a limited evidentiary hearing.
- (e) Award costs of the execution and of this Appeal to the Appellants.
- (f) Pass such other and further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

- 4. Issue notice.
- 5. Learned counsel for the respondents accepts notice. Response, if any, be filed before the next date of hearing, with an advance copy to the learned counsel for the appellants.
- 6. List on 29.04.2026.

AMIT SHARMA, J

JANUARY 16, 2026/bsr/sg