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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LA.APP. 312/2015
SATENDER SINGH Appellant
Through Mr.Sunil Dahiya, Adv.

versus

UNION OF INDIA & ANR Respondents
Through Mr.Yeeshu Jain & Ms.Jyoti Tyagi,
Adv. for R1/UOI.

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER
% **08.02.2016**

CM APPL.10798/2015

The appellant/applicant seeks condonation of delay of 510 days in filing the appeal. It is submitted that the appellant/applicant was arrested in connection with a criminal case and was lodged in jail. After the trial, he was awarded life imprisonment. In appeal against the Trial Court judgment, he was granted bail.

It is further submitted that since 2007, he had been participating in the proceedings before the Trial Court leading to straightened financial circumstances. The enhanced compensation of the acquired land was received by him on 19.01.2015 and therefore, there was delay in filing the appeal.

The counsel appearing for UOI opposes the condonation of delay and submits that a person cannot be allowed to reap fruits of a litigation when he sleeps over his own rights.

Times without number, this Court as well as the Apex Court have held that in land acquisition cases, there is delay on grounds of either lack of knowledge or a misunderstanding that no appeal is required to be filed as others have already challenged the award.

It has also been harped regularly by this Court that nobody would deliberately cause damage to himself.

Considering the grounds shown in the application for condonation of delay to be genuine, the delay is condoned subject to the condition that the appellant/applicant would not ask for and be entitled to any interest on the period of delay in litigation at his instance.

The application is allowed with the aforesaid directions.

CM APPL. 10799/2015

For the reasons stated in the application, the delay of 48 days in re-filing the appeal is condoned.

The application is allowed and disposed of accordingly.

LA APP.312/2015

Admit.

Notice.

Notice to respondent no.1 is accepted by Ms.Jyoti Tyagi, counsel for respondent no.1/UOI.

Notice to respondent no.2 shall be issued on deposit of process fee within a period of 10 days from today.

List this case in the category of 'Regulars' as per its own turn.

ASHUTOSH KUMAR, J

FEBRUARY 08, 2016/ab