



RFA No.265 of 2015

29.11.2018

Present: Mr.Shiv Pal Manhans, Additional Advocate General with M/s R.P. Singh & Raju Ram Rahi, Deputy Advocate Generals, for the appellant.

Mr.Prashant Sharma, Advocate for respondents No.1(a)-1(c), 1(e) to 1(g) & 2.

CMP(M) No.1548/2018 & CMP(M) No.1549/2018

These applications have been filed for substitution of legal representatives of deceased respondent No.1(d) Kanta Devi after condoning the delay in filing the application and setting aside abatement if any.

No reply is intended to be filed for the the reason as stated in the application(s). It is apparent that delay is neither intentional nor willful and therefore, delay is condoned and legal representatives of deceased respondent No.1(d) Kanta Devi, as mentioned in paragraph-5 of CMP(M) No.1548 of 2018 are brought on record after setting aside abatement if any, as respondents No.1(d) i, 1(d) ii, and 1(d) iii. Amended Memo be filed within one week. Applications stand disposed of.

CMP No.10212 of 2018

This application has been filed for release of compensation amount awarded in favour of Surender Kumar (applicant-respondent No.1(a), Keshav Kumar (applicant-respondent No. 1(b)) and Kaushalya Devi (applicant-respondent No.1(g)).

In reply, so filed on behalf of the non applicant/appellant-State, release of the amount has been opposed on the ground that enhancement awarded by the



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Reference Court is ten times to the rates assessed by the Land Acquisition Collector.

Learned counsel for the applicants has pointed out that in similar application bearing CMP No.351 of 2018, filed on behalf of respondent No.2, no reply was filed by the non applicant/appellant-State and 50% compensation amount was released in favour of the said respondent.

Keeping in view the entire circumstances, 50% amount of awarded compensation falling in share of Surender Kumar (applicant-respondent No.1(a), Keshav Kumar (applicant-respondent No. 1(b)) and Kaushalya Devi (applicant-respondent No.1(g), as per their entitlement according to the apportionment, is ordered to be released in their favour alongwith up to date interest. The same is ordered to be remitted in their accounts, details whereof, have been placed on record by filing photocopy of the Pass Books alongwith this application. Application stands disposed of accordingly.

November 29, 2018
(Purohit)

(Vivek Singh Thakur),
Judge