

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.824 OF 2013

NAND ROOP

..APPELLANT

VERSUS

UNION OF INDIA & ANR.

..RESPONDENTS

WITH

CIVIL APPEAL NO.825/2013

CIVIL APPEAL NO.835/2013

CIVIL APPEAL NO.826/2013

CIVIL APPEAL NO.827/2013

CIVIL APPEAL NO.828/2013

CIVIL APPEAL NOS.829-834/2013

CIVIL APPEAL NO.836/2013

CIVIL APPEAL NO.837/2013

WITH

CIVIL APPEAL NOS.4202-04 OF 2014  
@ S.L.P.(C)NOS.18291-18293/2013

AND

WITH

CIVIL APPEAL NOS.4205-06 OF 2014  
@ S.L.P.(C)NOS.10422-10423/2013

O R D E R

CIVIL APPEAL NOS.824, 825 AND 835 OF 2013:

1. These appeals are directed against the judgment and order passed by the High Court of Delhi at New Delhi in L.A.APP.NO.681 of 2011 and connected matters dated 28.08.2012.

2. The claimants/agriculturists, who had lost their lands, being aggrieved by the orders passed by the Reference Court, had filed appeals before the High Court. Since there was delay in filing the appeals, they had filed application(s) under Section 5 of the Limitation Act, 1963 (for short, 'the Act') to condone the delay in filing the appeals.

3. The learned Single Judge of the High Court being of the view that the delay is not satisfactorily explained, has rejected the application(s) and consequently has dismissed the appeals. Being aggrieved by the order so passed by the High Court the appellants are before us in these appeals.

4. We have perused the application(s) filed by the claimants/agriculturists under Section 5 of the Limitation Act before the High Court. After going through the application(s) so filed, we are of the view that the explanation offered by the claimants/ agriculturists for condonation of delay in approaching the Court nearly after a year's time from the date of the orders passed by the Reference Court can be considered

as satisfactory explanation.

5. In view of the above, we condone the delay in filing the appeals and remand the matters back to the High Court to re-consider the appeals filed by the claimants/agriculturists on merits and in accordance with law without reference to the period of limitation.

6. All the contentions of both the parties are kept open to be agitated in an appropriate case.

7. The Civil Appeals are disposed of accordingly.

Ordered accordingly.

CIVIL APPEAL NO.826/2013  
CIVIL APPEAL NO.827/2013  
CIVIL APPEAL NO.828/2013  
CIVIL APPEAL NOS.829-834/2013  
CIVIL APPEAL NO.836/2013  
CIVIL APPEAL NO.837/2013  
WITH  
CIVIL APPEAL NOS. 4202-04 OF 2014  
(@ S.L.P.(C)NOS.18291-18293/2013)

AND  
WITH  
CIVIL APPEAL NOS.4205-06 OF 2014  
(@ S.L.P.(C)NOS.10422-10423/2013)

1. Delay, if any, in filing and re-filing the Special Leave Petitions is condoned.

2. Leave granted in S.L.P.(C).Nos.18291-18293 and 10422-10423 of 2013.

3. These appeals are disposed of in terms of the order passed by this Court in the case of Impulse India P. Ltd. vs. Union of India & Anr., Civil Appeal No.2091 of 2014 etc, decided on 13.02.2014, in the same terms, conditions, observations and directions contained therein.

Ordered accordingly.

.....J.  
(H.L. DATTU)

.....J.  
(S.A. BOBDE)

NEW DELHI;  
MARCH 27, 2014  
ITEM NO.1

COURT NO.3

SECTION XIV

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 824 OF 2013

NAND ROOP

Appellant (s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

WITH SLP(C) NOS. 10422-10423 of 2013  
(With office report)

SLP(C) NOS. 18291-18293 of 2013  
(With appln.(s) for c/delay in filing and refiling SLP and office report)

Civil Appeal NO. 825 of 2013

Civil Appeal NO. 826 of 2013

Civil Appeal NO. 827 of 2013

Civil Appeal NO. 828 of 2013

Civil Appeal NOS. 829-834 of 2013

Civil Appeal NO. 835 of 2013

Civil Appeal NO. 836 of 2013

Civil Appeal NO. 837 of 2013

Date: 27/03/2014 These Appeals/petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU

HON'BLE MR. JUSTICE S.A. BOBDE

For Appellant(s) Mr.S.Balakrishnan, Sr.Adv.  
Mr. Ghan Shyam Vasisht,Adv.  
Mr.Om Prakash Mishra, Adv.  
Mr.R.Godara, Adv.

Mr. K.S. Rana, Adv.

Mr.Kameshwar Singh, Adv.  
Mr.S.K.Solanki, Adv.  
Mr.Vipin Solanki, Adv.  
For Mr. Naresh Kumar, Adv.

For Respondent(s) Ms.Rachana Srivastava, Adv.  
Mr.Utkarsh Sharma, Adv.

Mr.Vishnu B.Saharya, Adv.  
For M/S Saharya & Co.,Adv.

UPON hearing counsel the Court made the following  
O R D E R

C.A.NOS.824, 825 AND 835 OF 2013:

Appeals are disposed of, in terms of the signed order.

C.A.NO.826/2013, C.A.NO.827/2013, C.A.NO.828/2013,  
C.A.NOS.829-834/2013, C.A.NO.836/2013, C.A.NO.837/2013  
WITH C.A.NOS.4202-04 OF 2014 @ S.L.P.(C)NOS.18291-18293/2013  
AND WITH C.A.NOS.4205-06 OF 2014 @ S.L.P.(C)NOS.10422-10423/2013:

1. Delay, if any, in filing and refiling the S.L.P.s is condoned.
2. Leave granted in S.L.P.(C).Nos.18291-18293 and 10422-10423 of

2013.

3. These appeals are disposed of in terms of the order passed by this Court in the case of Impulse India P. Ltd. Vs. Union of India & Anr., Civil Appeal No.2091 of 2014 etc.etc., decided on 13th February, 2014, in the same terms, conditions, observations and directions contained therein.

(G.V.Ramana)  
Court Master

(Signed order is placed on the file)

(Vinod Kulvi)  
Asstt.Registrar