

ITEM NO.15 + 16

COURT NO.11

SECTION XIV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 538-541/2016

GOVT OF NATIONAL CAPITAL TERRITORY OF DELHI & ORS. Appellant(s)

VERSUS

M/S BUDH SINGH GULAB SINGH . & ORS.

Respondent(s)

(IA No. 134957/2021 - PERMISSION TO PLACE ON RECORD SUBSEQUENT FACTS)

WITH

Diary No(s). 28634/2018 (XIV)

(IA No. 108818/2018 - CONDONATION OF DELAY IN FILING REVIEW PETITION)

Diary No(s). 29548/2021 (XIV)

(FOR CONDONATION OF DELAY IN FILING ON IA 28707/2022

FOR EXEMPTION FROM FILING O.T. ON IA 28708/2022

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 28709/2022

IA No. 28707/2022 - CONDONATION OF DELAY IN FILING

IA No. 28709/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 28708/2022 - EXEMPTION FROM FILING O.T.)

C.A. No. 543-546/2016 (XIV-A)

Civil Appeal No. 542 of 2016 [Item no. 16]

Date : 09-05-2022 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

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

Diary No. 29548 of 2021 [Item No. 15.2]

I.A.D. No. 70469 of 2022

This is an application for substitution to bring on record the legal heirs of deceased Respondent No. 1, the deceased original

land owner. As per Office Report dated 06.05.2022, the application is defective for the reason that the age of the legal heirs has not been disclosed. However, it is admitted by the learned counsel appearing for the parties that they are not minors.

In view of the said fact, the defects pointed out in the Office Report are ignored. The application is allowed. The legal heirs are permitted to be substituted. Let notice be issued to the newly substituted respondents, returnable in four weeks. Dasti, in addition, is permitted.

Amended memo of parties filed is taken on record.

Diary No. 28634 of 2018 [Item No. 15.1]

The deceased Respondent No. 1 in this petition is the same as in Diary No. 29548 of 2021, the original land owner in which we have allowed the application for substitution, as aforesaid, the same legal heirs are ordered to be substituted for deceased Respondent No. 1 in the instant petition as well.

Let notice be issued to the newly substituted parties, returnable in four weeks. Dasti, in addition, is permitted. Amended memo of parties be filed within one week.

Civil Appeal No(s). 538-541/2016 [Item No. 15] and C.A. No. 543-546/2016 [Item No. 15.3]

The learned counsel for the petitioner points out that the land acquired was comprising in Khasra No. 168/2 in Lado Sarai, Delhi, admeasuring 6 Bighas and 2 Biswas, out of which 2 Bighas and 2 Biswas was on lease with Bharat Petroleum and under whose permission, M/s Budh Singh Gulab Singh were running a petrol pump, the respondents herein. The possession of the remaining 4 Bighas

of land was with the owner at the time of publication of the notification under Section 4 of the Land Acquisition Act, 1894.

It is reported that entire 6 Bighas and 2 Biswas is the subject matter of dispute in Diary No. 28634 of 2018 [Item No. 15.1] and Diary No. 29548 of 2021 [Item No. 15.2].

As per the petitioners, they have taken possession of the entire land admeasuring 6 Bighas and 2 Biswas.

List on 13.07.2022.

Civil Appeal No. 542 of 2016 [Item no. 16] is to be tagged with the instant batch of matters.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU BALA GAMBHIR)
COURT MASTER