

ITEM NO.11

COURT NO.7

SECTION XIV

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 43368/2019

(Arising out of impugned final judgment and order dated 16-05-2019 in WP(C) No. 10141/2015 23-08-2019 in RP No. 334/2019 passed by the High Court Of Delhi At New Delhi)

PARDEEP KUMAR & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.198119/2019-CONDONATION OF DELAY IN FILING
NW)

Date : 24-02-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s)

Mr. Rajiv Dutta, Sr. Adv.
Mr. N.S. Vasisht, Adv.
Mr. Ajay Marwah, AOR

For Respondent(s)

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

Delay condoned.

The High Court in paragraph 18 of the impugned judgment has noted that there is no averment whatsoever in the entire petition about the non-payment of compensation to the petitioners.

Our attention has been invited to paragraph 4.3 of the memo of writ petition which unambiguously states that compensation has not been paid or offered to the petitioners or tendered or deposited in

the court as mandated under Section 31 of the old Land Acquisition Act (Land Acquisition Act, 1894).

In that case, we grant liberty to the petitioners to approach the High Court by way of review petition, which be decided on its own merits and in accordance with law.

If the review petition is decided against the petitioners, it will be open to the petitioners to assail the said decision as well as the impugned judgment by way of Special Leave Petition before this Court.

The Special Leave Petitions are dismissed accordingly with aforesaid liberty.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)