

**IN THE COURT OF SH. SANJAY KUMAR, ADDITIONAL  
DISTRICT JUDGE-02, WEST, DELHI.**

**LAC - 37/12/10/85  
Unique Case ID No. 02401C0509382010**

**Area: Zafarpur @ Hiran Kudna, Delhi  
Date of Notification u/s 4 : 31.10.1980  
Date of Notification u/s 6 : 31.10.1980  
Award No.: 11/82-83 dated 03.05.1982**

1. Sh. Raje  
S/o Sh. Amar Singh
  2. Sh. Satbir @ Sukhbir Singh  
S/o Sh. Amar Singh
  3. Smt. Kali  
D/o Sh. Amar Singh
  4. Smt. Nihali  
D/o Sh. Amar Singh
  5. Sh. Ramesh  
S/o Sh. Amar Singh
  6. Smt. Sarto Devi  
W/o Sh. Amar Singh
  7. Sh. Chander (Deceased) through LRs
    - (i) Smt. Shakuntala - (Widow)
    - (ii) Sh. Dharmbir - (son)
    - (iii) Sh. Ranbir - (son)
- All R/o V.P.O. Hiran Kudna, New Delhi.
- (iv). Smt. Sudesh - (Married Daughter)  
W/o Sh. Prakash
  - (v). Smt. Mukesh - (Married Daughter)  
W/o Sh. Pradeep

Both R/o V.P.O. Malikpur, New Delhi

8. Sh. Hari Singh  
S/o Sh. Jundu (Died issueless)
  9. Sh. Mange Ram  
S/o Sh. Roop Ram (Died issueless)
- Both R/o V.P.O. Hiran Kudna, Delhi.

**...Petitioners**

**Versus**

1. Union of India through  
through Land Acquisition Collector,  
West District, Rampura, Delhi.
2. Ministry of Defence  
through Secretary  
MES Department, South Block,  
New Delhi

**.....Respondents**

**Date of institution of the case : 05.09.1985**  
**Date of reserving of judgment : 31.03.2016**  
**Date of pronouncement of judgment: 05.04.2016**

**(Reference under Section 18 of the Land Acquisition Act)**

**J U D G M E N T**

1. The Hon'ble Supreme Court vide order dated 27.08.2008 in Civil Appeal No. 5280 of 2008 passed the following directions:

**“..... From the submissions made on behalf of the learned counsel and the material on record, it is apparent that the matter requires a fresh determination taking into account all the factors. Apart from the fact relating to the yield of the lands in**

**question, having particular regard to the fact that the lands are situated within the National Capital Territory of Delhi, where potentiality become relevant, we set aside the order passed by the High Court and remand the matter to the Reference Court for a re-examination as to the valuation of the appellants' lands which had been acquired and to pass fresh orders, in accordance with law, after giving the parties an opportunity of leading evidence in support of their claims. The appeal is disposed of accordingly.”**

2. The Government of NCT of Delhi acquired total land measuring 343 Bighas 18 Biswas situated in village Zaffar Pur @ Hiran Kudna under Section 4, 6, 17 (i) of the Land Acquisition Act, 1984 (hereinafter referred to as 'the Act') vide notification no. F.7(29)/80-L&B/(1)(2)(3) dated 31.10.1980 respectively. The land was acquired for the Defence Project.

3. The Land Acquisition Collector (hereinafter referred to as 'the Collector') passed award no. 11/82-83 dated 03.05.1982 under Section 11 of the Act. The Collector determined the market value of the land under acquisition @ Rs.2000/- per bigha kham for block A and Rs.1000/- per bigha kham for block B.

4. According to statement of Section 19 of the Act filed by the Collector petitioners were shown as recorded owner of the acquired land.

Item No.	S. No.	Name of particulars	Filed no.	Total Area Big. - Bis.	Kind of soil and share in land
84	31	Shri Raje S/o Amar Singh	326	4 16A	Share 1/12 each of item No. 83 to 88
83	2	Shri Satbir S/o Amar Singh	327	<u>3 07A</u>	
85	3	Smt. Nihali D/o - do -		<u>8 03</u>	Share ¼ each of item no. 89 to 90
86	4	“ Kali D/o - do -		- do -	
87	5	“ Rajesh D/o - do -		- do -	
88	6	“ Sarti Wd/o - do -		- do -	
89	7	Shri Hari Singh S/o Jhandu		- do -	
90	8	“ Chander S/o Jhandu		- do -	
Block 'A' – Rs.2,000/- per bigha kham					
Block 'B' – Rs.1,000/- per bigha kham					

5. The petitioners admitted the statement u/s 19 of the Act to the extent of Khasra numbers and measurement of the acquired land.

6. The petitioners filed the reference under Section 18 of the Act against the findings and determination of the market value of the land/property determined/fixed by the Collector has been referred to the reference court.

7. In brief the facts are that the applicants/petitioners were owners/ bhumidhar and in possession of agricultural land total measuring 8 bighas 11 biswas bearing Khasra Nos. 326, 327, situated in the Revenue Estate of Village Jafarpur, Hiran Kudna, Delhi. The petitioners/applicants Nos. 1 to 8 were having one eighth share each respectively. The land of each petitioners/applicants have been acquired by the Government for the purpose of Defence

vide aforesaid Award. The amount of compensation awarded by the Collector is too low, inadequate, arbitrary and does not represent the actual and true market value as on 31.10.1980. The petitioners are aggrieved by the assessment made by Land Acquisition Collector, challenged the award, interalia, on the following grounds:

8. It is stated that the Collector erred in fixing the market value of the land on the basis of market value of the village Neelwal. The land of Neelwal is away from Delhi then the land of village Hiran Kudna and also not served by any road whereas the lands of the petitioners are on a pacca road near to Delhi. The lands of petitioners are much better situated then the land of Neelwal and should have been assessed at the higher rates. The land of petitioners is more fertile than the land of village Neelwal.

9. The Collector erred in taking an average of Rs.3497/- per bigha. Although the Collector had admitted that there are no sale transactions during the last five years at village Hiran Kudna and Neelwal and then he considered the sale deed of Dichao Kalan. The Collector failed and erred while relying on the sale consideration of village Dichao Kalan as the land in question is more fertile and market value should have been fixed at higher rates. The fact that there was no sale transaction of the land in question in the village, shows that the land in the village is more fertile and owners/Bhumidhars are more prosperous. Further, the Collector erred in not following the Hon'ble Supreme Court while fixing the highest sale transaction rate which is Rs.4688.00 per bigha.

10. It is stated that village Hiran Kudna is situated on main Delhi Rohtak Road and much better situated than Dichao Kalan. Therefore, the Collector must have considered the rate of village Mundka, which is similarly situated. The blockbandi made by the Collector is erroneous and is not scientific. The Collector also erred in not giving any interest as per law. The petitioners prayed that the market value may be fixed at least Rs.50/- per square yard.

11. Respondent no.1/ Union of India filed written statement taking preliminary objections that the Delhi Land Reforms Act is applicable to the land in dispute which greatly restricts the use of the land for agricultural and allied purposes only. The correct khasra number, area and share of the petitioners are given in the statement under Section 19 of the Act. The petitioners may be called to admit the same. On merits, all the averments made are denied. It is stated that the Collector has rightly assessed the market value of the land after taking into consideration all the relevant evidence on record. The claim of the petitioners is highly exorbitant and imaginary. The reference may be dismissed with costs.

12. Replication filed by the petitioners to the written statement of the respondent. In the replication, it is stated that the preliminary objection no.1 is admitted to the extent that the land in question was governed by the provisions of Delhi Land Reforms Act. Preliminary objection no. 2 is admitted by the petitioners. Averments made in para 1 of the reply on merits of the written statement were denied

13. As per direction of the Hon'ble Supreme Court, the matter has been started afresh. As per well settled law by the Hon'ble Supreme Court, the beneficiary respondent no.2/ Ministry of Defence through Secretary MES Department, South Block was impleaded as respondent no.2. However, no written statement filed by respondent no.2.

14. On the basis of previous/earlier pleadings, in the old matter, following issues were framed by Ld. Predecessor vide order dated 25.09.1986:

**1. To what enhancement in the amount of compensation are the petitioners entitled?**

15. As per directions of Hon'ble Supreme Court vide order dated 27.08.2008 for fresh determination of the market value of the land in question, the petitioners examined PW1 Sh. Bijender Singh, PW2 Sh. Surender Kumar, Kanoongo, Office of SDM, Punjabi Bagh, Nangloi, Delhi, PW3 Sh. Madan Sagwan, Draftsman and PW4 Sh. P.C. Tiwari, UDC, Land & Building Department. Thereafter, Ld. Counsel for the petitioners vide statement dated 08.01.2016 closed the evidence on behalf of the petitioners.

16. PW1 Sh. Raje tendered his affidavit in evidence as Ex. PW1/A. The documents relied upon by him in support of his evidence are Ex. PW1/1, which is copy of judgment dated 21.05.1981 titled as 'Hukmi and Others vs. UOI'; Ex. PW1/2, which is copy of judgment dated 24.03.1987 titled as 'Munshi & others vs. UOI'; Ex. PW1/3, which is copy of judgment dated 24.03.1987 titled as 'Lal Chand & others vs. UOI' and Ex. PW1/4 is site plan.

17. In the cross-examination, PW1 deposed that the other petitioners in the reference petition have not authorized him to depose on their behalf. He volunteered that he is one of the co-sharer of the land under acquisition. He has not placed any document on record which shows that the Sr. Secondary School MCD Dispensary etc. are located near the acquired land. He has not placed any document on record which shows that there is Ganga International School, Royal Cardin Vatika etc. and more particularly as stated in para 5 of the affidavit. He volunteered that suit land capable of being used for industrial and commercial purpose. He further deposed that he used to utilize the land for agricultural purpose at the time of notification u/s 4 of LA Act. He has not filed any sale deeds as stated by him in para 7 of his affidavit. He volunteered that he can produce the same.

18. PW1 further deposed in his cross-examination that he cannot identify the land being subject matter of Award No. 47/1982-83 but the village Mundka is adjoining to Hiran Kudna. The land under acquisition is adjoining to village Mundka as involved in Award bearing no. 47/1982-83. He cannot identify the land being subject matter of Award No. 4/1984-85 but the village Mundka is adjoining to Hiran Kudna. He has not filed any sale deeds during the award proceedings before the LAC. He denied the suggestion that the land does not have great potentiality and that the land is not capable of being used for residential and commercial purposes. He further denied the suggestion that LAC has correctly assessed the market value of the land as per the potentiality of his land.



19. PW2 Sh. Surender Kumar, Kanoongo deposed that he has brought the summoned record which is Aks of village Jaffarpur @ Hiran Kudna. The Aks is Ex. PW2/1. He further deposed that the Rohtak Road which is NH-10 exists in the Northern side of this Aks and from the village the same is situated nearby half kilometer. There is an intervening village Akoli between Hiran Kudna and Dichau Kalan. The Delhi Najafgarh Road in the south direction of village Jaffarpur @ Hiran Kudna is situated at about 4-5 k.m. as per his personal opinion as he has been visiting the area several times. The Tehsil of village Hiran Kudna at present Punjabi Bagh is having its office at Nangloi. The distance of Rohtak Road from Hiran Kudna is nearer than village Dichau Kalan. The distance of Village Ghewra and Mundka from village Hiran Kudna @ Jaffarpur is nearer than village Dichau kalan. He further deposed that the land in question bearing Khasra no. 327 and 328 abuts on the mettled road. Village Mundka is towards Western side from Village Hiran Kudna and village Mundka is adjoining to village Hiran Kudna and village Dichau Kalan is not adjoining to village Hiran Kudna.

20. PW2 in his cross-examination deposed that Hiran Kudna is a rural village. Village Tikri Kalan is at a distance of 5-6 kms. from Hiran Kudna. The agricultural land in question is surrounded by the agricultural land of other people of village Hiran Kudna. The Aks Sizra brought by him is not attested or signed by any competent officer. Khasra no. 344 abadi area has been shown in the said Aks Sizra. He has visited the place where the aforesaid Khasra number exists. He has got permission from the competent authority to tender the Aks Sizra in the court for giving the documentary

evidence of the aforesaid Aks Sizra. He cannot tell the dimensions of the land which is involved in the said case. Delhi Najafgarh Road lying in the south direction of the village Jaffarpur @ Hiran Kudna. He has no personal knowledge about the said case. Whatsoever he has stated is on the basis of the record.

21. PW3 Sh. Madan Sagwan, Draftsman deposed that he is draftsman and the Site Plan of Village Hirankudna prepared by him, which is already exhibited as Ex. PW-1/4. It bears his signatures at point A. He further deposed that he had visited the site at the time of preparation of the Site Plan of Village Hirankudna. The site plan is factually correct. He had visited the site alongwith Sh. Baljeet Singh who is the husband of Smt. Jeevani.

22. In the cross-examination, PW3 deposed that he is not an architect. He has completed the draftsman diploma. The stamp on the site plan Ex. PW-1/4 is of architect as well as draftsman. Architect is his Boss and his name is Sh.Rameshwar Dayal. He denied the suggestion that the site plan Ex. PW-1/4 is not the original copy of the site plan. The distance of the Village Tikri Kalan from the NH No, 10 is half kilometer. He further denied the suggestion that the distance of the Village Tikri Kalan is about one kilometer. He volunteered that he has not measured the distance. He denied the suggestion that he never visited the place in question. He further deposed that he had prepared the site plan Ex. PW-1/4 at the request of Sh. Baljeet Singh. He had not given any notice to the LAC, West prior visiting and preparing the above said site plan.

23. PW4 Sh. P.C. Tiwari deposed that he has brought the summoned record of fixation of minimum price of agricultural land in Union Territory of Delhi from 1990 to 2008, a copy of which was exhibited as Ex. PW4/1 (Colly). In his cross-examination he deposed that he has no personal knowledge about the fixing of the minimum prices of the agricultural land and the same has not been prepared in his presence.

24. From the side of respondent no.1 Sh. I.P. Singh, Ld. Counsel for the respondent no.1/ Union of India tendered in evidence copy of Award No. 11/82-83 as Ex. R-X. He also adopted the evidence led by Union of India in the matter of LAC No. 14/86 titled as 'Dharam Singh vs. UOI'. Ld. Counsel for the respondent no.2 Sh. Yajuvanra Singh adopted the evidence led by respondent no.1/ Union of India.

25. I have heard Sh. B.D. Sharma, Counsel for the petitioners, Sh. R.K. Sharma, Counsel for the respondent no.1/ UOI and Sh. Yajudandra Singh, Counsel for the respondent no.2/ Ministry of Defence.

26. In the arguments, Ld. Counsel for the petitioners submitted that according to Aks Sizra and two other site plans filed by petitioners, the location of village Zaffarpur @ Hiran Kudna is surrounded by village Akoli in south, village Ghevra in North, Village Neelwal in West and village Mundka in East. The land of village Neelwal was also acquired for the defence purposes vide notification dated 31.10.1980, which is the date of present notification for village Zaffarpur @ Hiran Kudna as well. Sh. S.S. Handa, Ld. ADJ enhanced the

compensation from Rs.2500/- per Bigha to Rs.12,900/- per Bigha. Thereafter, in the appeal before Hon'ble High Court, it was enhanced to Rs.14,868/- per Bigha with benefits as per judgment in Sunder vs. Union of India reported as 93 (2001) DLT 569. It is submitted that the village Zaffarpur @ Hiran Kudna is adjoining to two villages, which are very near to National Highway No. 10 i.e. Delhi Rohtak Road whereas the village Neelwal is situated at a distance of about 3 km from National Highway.

27. The petitioners have attempted to prove the geography and topography of land of the village and adjoining village on the basis of testimony of PW3 Sh. Madan Sagwan, Draftsman and PW2 Sh. Surender Kumar, Kanoongo. The petitioner also appeared in the witness box and proved the judgment pertaining to village Mundka i.e. Munsu Ram Vs. UOI dated 24.03.1987 in LAC No. 222/83 in respect of Award no. 47/82-83, where the compensation was enhanced to Rs.30,000/- per Bigha by Sh.S.R. Goel, Ld. ADJ, Delhi. Similarly, in the judgment dated 24.03.1987 in LAC No. 229/1987 titled as Lal Chand vs. UOI of village Mundka pertaining to Award no. 47/82-83, compensation was enhanced to Rs.30,000/- per bigha by Sh.S.R. Goel, Ld. ADJ, Delhi. In judgment dated 04.03.2006 in LAC No. 116/04 titled as Hukmi and Others vs. UOI of village Mundka in respect of Award No. 4/84-85, the compensation was enhanced to Rs.33,000/- per bigha by Sh. A.K. Mendiratta, Ld. ADJ, Delhi. The petitioners further relied on judgment **2002 VI AD (Delhi) 315 Delhi Simla Catholic Archdiocese Vs. Union of India & Anr.** and **(1979) 15 DLT 239; 1982 (21) DLT 214 & 2015 (2) SCC 262.**

28. Petitioners further relied on **(1992) 46 DLT 13 Balbir Singh Vs. Union of India; (2003) 104 DLT 1024: (2003) 7 AD Delhi 251: (2003) RLR 116 Om Parkash and others vs. Union of India; 1996 (2) RRR 479 (DB) Delhi High Court and 2001 (4) RCR (Civil) 815 UOI vs. Mangat Ram.** It is further submitted that respondents tendered three sale deeds, one of village Zaffarpur @ Hiran Kudna and two of village Dichao Kalan. These sale deeds cannot be considered for determination of market value of the land as they pertain to very small piece of land and are not bonafide transactions. However, in the present case, the court may determine the market value of the acquired land on the basis of principles laid down by Hon'ble Supreme Court in case of **Maj. Gen. Kapil Mehra vs. UOI**, where the factors to be considered are (i) existing geographical situation of the land; (ii) existing use of the land; (iii) already available advantages, like proximity to National or State Highway or road and/or developed area and (iv) market value of other land situated in the same locality/village/area or adjacent or very near to the acquired land.

29. Petitioner's Counsel submits that acquired land is in proximity of the Delhi Rohtak Road National Highway no. 10 and adjoining village Mundka, whose market value has already been stated to be increased to Rs.33,000/- per bigha. Therefore, petitioners are entitled to enhancement as per land of village "Mundka". It is further submitted that in view of amendment in the Land Acquisition Act under Section 23 (1A), all benefits shall be granted. Further, compensation be granted @ 9% per annum from the date of dispossession for the first year and thereafter @ 15% for subsequent period till

the payment as decided in the case of *Sunder (Supra)*. It is submitted that the petitioners be awarded compensation @ Rs.50/- per sq. yard with all statutory benefits.

30. I have considered the respective submissions. At the outset, the main contention of petitioners is that the village Zaffarpur @ Hiran Kudna is situated adjacent to Mundka. In order to establish this, they examined PW3 Sh. Madan Sagwan, Draftsman and in cross-examination, he deposed that the Architect is one Mr. Rameshwar Dayal and he is not an Architect. He denied the suggestion that the distance between Tikri Kalan and NH -10 is 1 k.m. He further deposed that site plan Ex. PW1/4 has been prepared at the request of Sh. Baljeet Singh. He admitted that no notice given to LAC, West for prior to visiting and preparation of site plan.

31. Now coming to the testimony of PW1 Sh. Surender Kumar, Kanoongo, who proved Aks Sizra showing geographical situation of the village Zaffarpur @ Hiran Kudna pertaining to year 1951-52. In the cross-examination he admitted that Hiran Kudna is a rural village. He further deposed that the Aks Sizra brought by him is not attested or signed by any competent officer. He cannot tell the dimensions of the land. He has no personal knowledge of the case.

32. However, for the sake of boundaries and situation of villages, petitioners relied on Ex. PW1/4 site plan prepared by Draftsman PW3 Sh. Madan Sagwan and PW2/1 Aks Sizra. As per analysis of this, for topography of village Zaffarpur @

Hiran Kudna, the boundary of this village touching village Bakkarwala towards east side, village Ghevra towards North West side, village Mundka towards North East side, village Neelwal towards west side and village Akoli towards south side. According to these site plan Ex. PW2/1 and Ex. PW1/4, the longest boundary of village Zaffarpur @ Hiran Kudna touching to village Neelwal and village Bakkarwala. Boundary of village Mundka touches only at the north each side tip and similarly towards north west tip is touching to the village Ghevra. The boundary of village Akoli is touching at the south end. Boundary of village Dichao Kalan is much below the village Akoli towards south and then village Najafgarh. The Najafgarh Delhi Road is having three villages in between Zaffarpur @ Hiran Kudna i.e. Najafgarh, Dichao Kalan and Akoli. Similarly, NH-10 is situated after crossing the village Mundka and no where near the boundary of Zaffarpur @ Hiran Kudna. The analysis shows that village Zaffarpur @ Hiran Kudna is at a quite distance from NH-10 and Najafgarh Delhi Road (Shivaji Marg) and in order to reach NH-10, the whole village Mundka has to be crossed. The main boundaries lies with the two villages i.e. Neelwal and Bakkarwala. Hence, I do not find any substance and merit in the contentions of Ld. Counsel for the petitioners that geography and topography of village Mundka is similar to the village Zaffarpur @ Hiran Kudna. Both villages are distinctively, geographically and topographically situated and their land cannot be compared in any manner.

33. Now applying the judgment of **Maj. Gen Kapil Mehra** (*Supra*) relied by the petitioner's Counsel and keeping in mind the factors i.e. the existing geographical situation of

the land as described herein above, the use of land is agricultural. It is admitted by petitioners. The land is not at the advantageous location having any proximity to national or state Highway as discussed herein above. One side village Mundka has to be crossed and on the three sides three villages Dichao Kalan, Akoli and Najafgarh has to be crossed to reach the Highways. In these circumstances as discussed above, as per geographical and topographical situation of village, the judgments relied by petitioners of village Mundka are not of any help for determination of market value and enhancement to the tune of Rs.33,000/- per bigha as was done in village Mundka. The situation of the land of Mundka cannot be compared with the situation of land of village Zaffarpur @ Hiran Kudna. After applying the principle laid down by Hon'ble Supreme Court as per case of Maj. Gen. Kapil Mehra (Supra).

34. Now coming to the potentiality of the land as claimed by petitioners. The petitioners are silent on the earning from the acquired land in question. The petitioners have not filed or proved any documentary proof of revenue record showing their earning from the acquired land. The plea of the petitioners that various residential colonies developed near the acquired land is seems to be in the year 2016 when affidavit filed. There is no documentary proof that in the year 1980 several residential colonies were developed and Gangal International School and Royal Garden Vatika come up in the vicinity of the acquired land. These facts are not relevant while determining the market value of the acquired land in the year 1980. The petitioners miserably failed to establish potentiality of the land having market value @ Rs.30,000/- per bigha.



35. Another witness examined by petitioners is PW4 Sh. P.C. Tiwari, UDC, who proved the fixation of minimum price of agricultural land in Union Territory of Delhi from 1990 to 2008 as Ex. PW4/1. The rates are irrelevant in the present facts and circumstances of the case because the land in question was acquired in the year 1980.

36. It is admitted case of the parties that on the same day notification under Section 4 of the Act was issued for village Mundka, Neelwal, Dichao Kalan and Zaffarpur @ Hiran Kudna. As discussed herein above that the land of village Zaffarpur @ Hiran Kudna cannot be compared with village Mundka as per geography and topography situation of the village. It can be compared with the village Neelwal, to which the maximum distance boundary touches with the village Zaffarpur @ Hiran Kudna. The petitioners relied the reference court award of LAC No. 264/06, Ratan Singh and Another vs. UOI and Another, wherein the market value has been fixed to Rs.12,900/- per bigha and according to petitioners, same has been upheld by the High Court and further enhanced to Rs.14,868/-. In view of above observation and discussion, I find that the petitioners are entitled to get the enhancement of compensation on the basis of market value determined for the village Neelwal, which is just adjacent and touches the maximum land of boundary of village Zaffarpur @ Hiran Kudna. Especially in the circumstances, where there was no sale transactions of village Zaffarpur @ Hiran Kudna for the last five years and only one sale deed produced by Union of India. I, therefore, fix the market price of the land of the petitioners @ Rs.12,900/- per bigha.

## **RELIEF:**

37. As per the directions of Hon'ble Supreme Court, the market value determined afresh in **LAC No. 54/10/85 titled 'Shiba (Through LRs) & Ors. vs. UOI'** whereby market value has been fixed at Rs.12900/- per bigha for both the categories. Therefore, petitioners are also entitled to get the enhanced compensation from Rs.2000/- for A-Block and Rs.1000/- for B-Block to Rs.12,900/- per bigha for both categories of land besides they are entitled for solitium @ 30% and additional amount under Section 23 (1A) @ 12% per annum from the date of notification under Section 4 of the Act till the Award or taking over of possession which ever is earlier on the market price. The petitioners are also entitled for interest @ 9% per annum for one year on the enhanced amount from the date of award or taking over possession of land which ever is earlier, thereafter they are entitled to interest @ 15% per annum till compensation is paid. **However, petitioners are not entitled to interest @ 15% from 31.05.1989 till the date of this judgment.** Any amount already paid under particular heads has to be deducted. The reference is answered accordingly.

38. Copy of this judgment be sent to LAC for reference and calculating the amount to be paid to the petitioners and same be sent to this court within three months.

39. Decree sheet be prepared accordingly.

40. File be consigned to Record Room.

Announced in the open court  
today the 5<sup>th</sup> April, 2016.

**(Sanjay Kumar)**  
**ADJ-02, West/Delhi**  
**05.04.2016**