

ITEM NO.42

COURT NO.6

SECTION IVB

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

Petition(s) for Special Leave to Appeal (Civil) No(s).9625-9637/2008

(From the judgement and order dated 23/08/2006 in FAO No. 36/1988 & FAO No. 37/1988, 38/1988, 39/1988, 40/1988, 41/1988, 42/1988, 43/1988, 48/1988, 49/1988, 61/1988, 62/1988 & 63/1988 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

U.O.I. &amp; ORS.

Petitioner(s)

VERSUS

GURDIT &amp; ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP and office report)  
WITH SLP(C) NO. 12672-12674 of 2008  
(With appln(s) for c/delay in filing SLP and office report)

Date: 14/11/2011        These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s)        Mr.    Mohan Parasaran, ASG  
                                 Ms.    Rekha Pandey, Adv.  
                                 Ms.    Vimala Sinha, Adv.  
                                 Mr.    J.K. Mishra, Adv.  
                                 Mr.    B. Krishna Prasad, Adv.(Not present)

For Respondent(s)        Mr. S.M. Sarin, Adv.  
                                 Mr. P.N. Puri, Adv.(Not present)

                                 Mr. Sanjeev Malhotra ,Adv

                                 Mr. Yash Pal Dhingra, Adv.(Not present)

UPON hearing counsel the Court made the following

O R D E R

These petitions are directed against the judgment of Punjab and Haryana High Court whereby the determination of

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compensation made by the arbitrator in respect of the respondents' land, which was requisitioned under the Requisitioning and Acquisition of Immovable Property Act, 1952 (for short, 'the Act') was dismissed and the award of solatium and interest was upheld on the ground that there was 16 years' delay in the appointment of arbitrator.

At the threshold of hearing, the learned Additional Solicitor General fairly stated that the issue raised in these petitions stands decided against the petitioners by a two Judge Bench in Dilawar Singh & others vs. Union of India & others (2010) 12 SCR 1059.

We have carefully perused the record and have also gone through the judgment in Dilawar Singh's case.

In our

view, the special leave petitions are liable to be dismissed because no explanation was given by the petitioners for 16 years' delay in the appointment of the arbitrator. matter of fact, the arbitrator was appointed only after the High Court issued a direction in that regard.

As a

We may add that the view taken in Dilawar Singh's case is similar to the one taken about 15 years ago in Union of India vs. Ajaib Singh & others (1996) 9 SCC 638.

The special leave petitions are, accordingly, dismissed.

The interim orders passed by this Court stand automatically vacated.

The petitioners shall now pay the amount due to the respondents within a period of three months from today.

(Parveen Kr. Chawla)  
Court Master

(Phoolan Wati Arora)  
Court Master