

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A. 3 & 4, I.A. NO. 5 & 6 & I.A. NO. 8
in
Civil Appeal No(s). 5050 of 2008

MOHAMMAD RAMZAN (D)

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

I.A. NO. 1 & 2
IN
CIVIL APPEAL NOS. 5100 OF 2008

WITH

I.A.NO. 3-6, 7-10, 11-14, 15-18 & 19-22
IN
CIVIL APPEAL NOS. 5101-5104 OF 2008

WITH

I.A. NO. 42-61, 62-81, 82-101, 102-121, 122-141
IN
CIVIL APPEAL NOS. 5105-5124 OF 2008

WITH

I.A.NO. 1 & 2
IN
CIVIL APPEAL NO. 5283 OF 2008

O R D E R

Applications for revival of the civil appeals are rejected.

Applications for setting aside abatement are allowed. Delay in filing the applications for substitution is condoned and the applications for substitution are allowed.

On 17.04.2017, this Court passed the following order :-

"On 10.03.2017, this Court directed the Delhi Development Authority to get instruction as to whether in the facts of the present case, they propose to follow the view taken in the case of 'Competent Automobiles'.

There is no response to that query of the Court.

The Delhi Development Authority is again directed to file the response after getting appropriate clarification from the Government, on or before 05.05.2017.

It is made clear that if such a response is not filed within the stipulated time, it will be presumed by the Court that the DDA and the NCT have no objection in taking the same view as taken in 'Competent Automobiles' case."

There is no written clarification as on today. However, Sh.Vishnu Saharya, learned counsel appearing for the Delhi Development Authority, on instruction, submits that the situation is the same as in 'Competent Automobiles' case.

Therefore, these interlocutory applications are disposed of in terms of the Judgment passed in *M/s Competent Automobiles Co. Ltd. Vs. Union of India & Ors.* in Civil Appeal No. 5054 of 2008 dated 11.05.2016.

However, we make it clear that since the land is being de-notified, the land owners/the persons interested in the land will not be entitled for any compensation.

.....J.
[KURIAN JOSEPH]

.....J.
[R. BANUMATHI]

New Delhi;
May 08, 2017.

ITEM NO.5

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

I.A. 3 & 4, I.A. NO. 5 & 6 & I.A. NO. 8 in Civil Appeal No(s).
5050/2008

MOHAMMAD RAMZAN (D)

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(for revival of appeal and appln. for c/delay in filing application and bringing on record lrs. of the appellant and c/delay in filing substitution application and permission to file additional documents and office report)

WITH

I.A No. 1 & 2 in C.A. No. 5100/2008

(For revival of appeal and application for c/delay in filing application and Office Report)

I.A.NO. 3-6, 7-10, 11-14, 15-18 & 19-22 in C.A. No. 5101-5104/2008

(For revival of appeal and application for c/delay in filing application and bringing on record lrs of the appellant and c/delay in filing substitution application and setting aside abatement and Office Report)

I.A. NO. 42-61, 62-81, 82-101, 102-121, 122-141 in C.A. No. 5105-5124/2008

(FOR revival of appeal and application for c/delay in filing application and bringing on record lrs. of the deceased appellant and c/delay in filing substitution application and setting aside abatement)

I.A.NO. 1 & 2 in C.A. No. 5283/2008

(For revival of appeal and application for c/delay in filing application and Office Report)

Date : 08/05/2017 These applications were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MRS. JUSTICE R. BANUMATHI

Counsel for the
parties

Mr. Manoj Swarup, Adv.
Mr. Mukul Kumar, Adv.
Mr. Som Dutt Sharma, Adv.

Mr. R. K. Rathore, Adv.
Mr. A. Deb Kumar, Adv.
Mr. Z. Hussain, Adv.

Mr. Vibhu Shankar Mishra, Adv.
Mr. T. N. Razdan, Adv.
Mr. Raj Bahadur, Adv.
Mr. B. K. Prasad, Adv.

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

Mr. Bankey Bihari, Adv.
Mr. B. S. Maan, Adv.
Ms. Smita Maan, Adv.

Ms. Rachana Srivastava, Adv.
Ms. Monika, Adv.
Mr. Sukrit R. Kapoor, Adv.
Mr. Sitya Madhusoodhanan, Adv.

Mr. V. K. Verma, Adv.

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

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However, we make it clear that since the land is being de-notified, the land owners/the persons interested in the land will not be entitled for any compensation.

(Jayant Kumar Arora)
Court Master

(Renu Diwan)
Assistant Registrar

(Signed order is placed on the file)